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No. 94

N° 94

ISSN 1180-2987

**Legislative Assembly  
of Ontario**

First Session, 41<sup>st</sup> Parliament

**Assemblée législative  
de l'Ontario**

Première session, 41<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Monday 14 September 2015**

**Lundi 14 septembre 2015**



**Speaker  
Honourable Dave Levac**

**Président  
L'honorable Dave Levac**

**Clerk  
Deborah Deller**

**Greffière  
Deborah Deller**

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111 Wellesley Street West, Queen's Park  
Toronto ON M7A 1A2  
Telephone 416-325-7400; fax 416-325-7430  
Published by the Legislative Assembly of Ontario



Service du Journal des débats et d'interprétation  
Salle 500, aile ouest, Édifice du Parlement  
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Publié par l'Assemblée législative de l'Ontario



## LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 14 September 2015

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 14 septembre 2015

*The House met at 1030.*

**The Speaker (Hon. Dave Levac):** Good morning. Welcome back. Weren't we just here?

Please join me in prayer.

*Prayers.*

### RESIGNATION OF MEMBERS

**The Speaker (Hon. Dave Levac):** I beg to inform the House that, during the adjournment, vacancies have occurred in the membership of the House by reason of the resignation of Garfield Dunlop as the member for the electoral district of Simcoe North, effective August 1, 2015, and by reason of the resignation of Christine Elliott as the member for the electoral district of Whitby–Oshawa, effective August 28, 2015.

Accordingly, I have issued my warrants to the Chief Electoral Officer for the issue of writs for by-elections.

### INTRODUCTION OF MEMBER FOR SIMCOE NORTH

**The Speaker (Hon. Dave Levac):** I beg to inform the House that the Clerk has received from the Chief Electoral Officer and laid upon the table a certificate of the by-election in the electoral district of Simcoe North.

**The Clerk of the Assembly (Ms. Deborah Deller):** The certificate of the by-election is addressed to Mrs. Deborah Deller, Clerk of the Legislative Assembly:

"Dear Mrs. Deller:

"A writ of election dated the fifth day of August, 2015, was issued by the Honourable Lieutenant Governor of the province of Ontario, and was addressed to Grace Isgro-Topping, returning officer for the electoral district of Simcoe North, for the election of a member to represent the said electoral district of Simcoe North in the Legislative Assembly of this province in the room of Garfield Dunlop who, since his election as representative of the said electoral district of Simcoe North, has resigned his seat. This is to certify that, a poll having been granted and held in Simcoe North on the third day of September, 2015, Patrick Brown has been returned as duly elected as appears by the return of the said writ of election, dated the ninth day of September, 2015, which is now lodged of record in my office.

"Yours sincerely,

"Greg Essensa

"Chief Electoral Officer

"Toronto, September 14, 2015."

*Mr. Brown was escorted into the House by Mr. Wilson and Mr. Yakabuski.*

**Mr. Jim Wilson:** Speaker, I have the honour to present to you and to the House Patrick Brown, member-elect for the electoral district of Simcoe North, who has taken the oath and signed the roll and now claims the right to take his seat.

**The Speaker (Hon. Dave Levac):** Let the honourable member take his seat.

*Applause.*

**The Speaker (Hon. Dave Levac):** Mr. Brown, member for the electoral district of Simcoe North, is recognized as leader of Her Majesty's loyal opposition.

### APPOINTMENT OF CLERK-AT-THE-TABLE

**The Speaker (Hon. Dave Levac):** I'd like to bring the attention of the members of the House to the appointment of William Short as a Clerk-at-the-Table. A lot of you will know William from his many years as a committee Clerk. As a table officer, he will serve the members in a permanent capacity and assist the Clerk and Deputy Clerk in providing procedural advice to myself and to all members.

I am certain that all members will join me in congratulating Mr. Short as he assumes his new responsibilities.

Congratulations.

### QUEEN ELIZABETH II REINE ELIZABETH II

**The Speaker (Hon. Dave Levac):** Point of order, the deputy House leader.

**Hon. James J. Bradley:** Mr. Speaker, I believe you will find that we have unanimous consent to pay tribute to Her Majesty the Queen becoming our longest-serving monarch, with a representative from each caucus speaking for up to five minutes.

**The Speaker (Hon. Dave Levac):** The deputy House leader is seeking unanimous consent: that we have unanimous consent to pay tribute to Her Majesty the Queen becoming our longest-serving monarch, with a representative from each caucus speaking for up to five minutes. Do we agree? Agreed. Carried.

Premier.

**Hon. Kathleen O. Wynne:** It's with great pleasure that I rise to mark the historic milestone Her Majesty Queen Elizabeth II has achieved in surpassing her great-great-grandmother Queen Victoria as the longest reigning British monarch.



Je suis ravie de prendre la parole pour célébrer ce moment historique du règne de Sa Majesté la reine Elizabeth II, qui vient de battre le record de son arrière-arrière-grand-mère, la reine Victoria, et de devenir le monarque britannique qui connaît le règne le plus long de l'histoire.

Her Majesty is renowned for the steadfast devotion to duty and public service that she has exhibited during an extraordinary reign of more than 63 years. The Queen has carried out her responsibilities with grace, dignity and intelligence, earning respect and admiration across the Commonwealth and around the world.

Canadians have shown their great esteem and affection for Her Majesty during her many visits to our country. She has made Canada a priority in her international travel, travelling here more times than to any other country. And she has been a frequent and welcome visitor to Ontario, making 14 visits to our province since 1951. Wonderful.

During these visits, the Queen has shown a preference for participating in events that celebrate selfless service to others. In 1973, she attended the first-ever Ontario Medal for Good Citizenship. During her most recent visit to Canada in 2010, she joined Premier McGuinty here at Queen's Park for a celebration of service honouring outstanding achievements in volunteerism and other forms of giving back to society.

The most visible elements of the Queen's visits are royal walkabouts, when she meets and mingles with members of the public. These walkabouts began spontaneously during the 1939 royal tour of Canada by Her Majesty's parents after they had dedicated the National War Memorial in Ottawa. The royal couple surprised and delighted the vast crowd when, instead of turning to their motorcade, they spent half an hour mingling with veterans of the First World War.

#### 1040

During her reign, Queen Elizabeth has institutionalized walkabouts, developing them into a much-loved tradition. I am speaking about walkabouts today because of their symbolic importance. Earlier generations typically perceived a king or a queen as a remote figurehead, but the advent of walkabouts has helped to forge a connection between the monarch and her people and has reflected the democratic spirit of our age. Yet at the same time, they strike a careful balance by also respecting the dignity that is integral to the high office the Queen holds.

Her Majesty has done an exemplary job of maintaining the monarchy, which is one of the pillars of our democracy. By doing so, she has helped to sustain the combination of parliamentary democracy and a constitutional monarchy that we're so fortunate to live under. Our system of government, which has evolved over many centuries, has allowed Canada to become a vibrant and stable democracy and one of the world's most successful nations. It ensures that the power of the state is not absolute; that peace, order and good government endure; and that, as citizens, we can take control of our destiny and live without fear of tyranny.

The Queen has steered a steady course for more than 63 years. She has demonstrated an unwavering commitment to public service, and she has upheld the monarchy as a symbol of stability and continuity.

La reine a maintenu le cap depuis plus de 63 ans. Elle a fait preuve d'un engagement indéfectible envers le service public et elle a fait de la monarchie un symbole de stabilité et de continuité.

Her poise, strength and integrity have offered the people of Canada and the 15 other Commonwealth countries where she is the head of state a source of reassurance and stability in a time of unprecedented change.

On behalf of the government of Ontario, I want to congratulate the Queen for achieving this significant milestone, and I want to thank Her Majesty for her lifetime of dedicated service to the people of our province and our country, and to wish her many more years in her remarkable reign.

God save the Queen.

**The Speaker (Hon. Dave Levac):** The leader of Her Majesty's loyal opposition.

**Mr. Patrick Brown:** Mr. Speaker, nothing could be more fitting for my first act as leader of Her Majesty's official opposition than to stand and pay tribute to Her Majesty Queen Elizabeth II on this historic occasion.

Reigning as queen for 63 years and 221 days, Her Majesty now stands as the longest-serving monarch of the United Kingdom and our Commonwealth. Along with the people of Ontario and our Progressive Conservative caucus, I express my deep and profound appreciation for Her Majesty's devotion of so much of her life to public service and the greater good.

It's next to impossible to put into perspective the sheer length of her service and dedication to her kingdom, but just to try, when she was crowned in 1953, Leslie Frost was Premier of Ontario and the very first colour television sets went on sale. When I was born, Her Majesty had already been serving as head of state for 25 years, and she has since served with dedication and distinction. It is my hope that we can all follow her lead and example of integrity.

Her Majesty the Queen has been the head of our country through some of our nation's most iconic and momentous occasions. It was Her Majesty, through the Governor General, who granted royal assent to Prime Minister Diefenbaker's Bill of Rights, finally passing into law some of our most inalienable rights: freedom of speech, equality, and the right to life and liberty. Twenty-two years later, it was Her Majesty who personally signed the Constitution Act on Parliament Hill—bringing the Constitution to Canada, finally granting our country complete sovereignty.

During her reign as Queen of Canada, she has travelled internationally as head of state and visited our country 24 times on royal tours. It was during one of these state visits, in 2010, that I had the pleasure and honour of taking my father—who was born in London, England, during the Second World War and moved to Canada when Her Majesty was beginning her reign—to



meet her. My father often recounts how, when the Second World War ended, his parents were among the thousands who gathered outside of Buckingham Palace awaiting the royal family, including then-Princess Elizabeth, and how the strength and leadership shown by King George VI and the Queen Mother brought light to the world during a very dark time. How fitting, then, that for almost 64 years, Her Majesty has served as the enduring symbol of freedom and democracy.

While we as politicians sometimes carry on with partisan banter, Her Majesty and the principles she represents remain above it all. She is above politics and partisanship. She stands as a symbol of security and unwavering leadership. She stands as a reminder for all of us not just of our past but to our future. Her Majesty brings great pride to the Commonwealth.

Again, Mr. Speaker, I thank you for the opportunity to stand here on my first day in the Ontario Legislature to honour Her Majesty, a remarkable and inspirational leader. I congratulate her on this tremendous accomplishment, and on behalf of the Progressive Conservative caucus, wish her many more years of good health and dutiful service.

God save the Queen.

**The Speaker (Hon. Dave Levac):** The leader of the third party.

**Ms. Andrea Horwath:** I would like to actually start by welcoming Patrick Brown, the new leader of the Conservative Party to the chamber. Welcome.

On behalf of the Ontario NDP caucus, I am honoured to rise and pay our respects to Her Royal Majesty Queen Elizabeth II who, on September 9, 2015, became the United Kingdom's longest-serving sovereign.

On the occasion of her Diamond Jubilee, Her Majesty said, "We are reminded here of our past, of the continuity of our national story and the virtues of resilience, ingenuity and tolerance which created it." At a reign of 63 years and just over seven months, the Queen has been a part of our national story for as long as many Ontarians can even remember. She has worked with 12 British Prime Ministers and 11 Canadian Prime Ministers, and as the living embodiment of the crown in Canada, she has been a proud and stoic figure. Through ever-changing times, she has ruled with equanimity and dignity and she has remained above the fray of politics.

There is no doubt that Canadians remain fascinated by the Queen and her royal family. On each of Her Majesty's 22 visits to Canada, thousands of Canadians flocked to catch a glimpse of the Queen. There is no doubt that Canada's monarchy continues to hold a special place in the hearts and minds of Canadians.

In fact, I can remember her in Hamilton in the year of the Queen's Golden Jubilee in October 2002, when she presented the new colours to her Argyll and Sutherland Highlanders of Canada (Princess Louise's). At that time, she noted the regiment's gift to the community in my riding of a commemorative pavilion in Bayfront Park, to remember those who served and especially those who gave their lives. It is also notable that Queen Elizabeth was not only quick to write to the family and regiment to

share her grief and sorrow at the tragic shooting of Corporal Cirillo, but several months later, held an audience with members of his Argyll and Sutherland Highlanders regiment, including Lieutenant Colonel Lawrence Hatfield, Lieutenant Colonel Rick Kennedy and Honorary Colonel Ron Foxcroft.

Since her youngest days, the Queen has made it clear that her role is one of service to her people, and so I'll close with a very short and succinct quote by Her Royal Majesty: "There is a motto which has been borne by many of my ancestors—a noble motto, 'I serve.'" I think that should be an important reminder for all of us who represent the people of Ontario, for all of us who are privileged to stand in this place. We would do well to follow the example of Her Majesty who, at the age of 89, still holds more than 400 public engagements each and every year. In fact, the Premier talked about her walkabouts. Personally, I have to say that I love her dogs. Every time I see a corgi, I think of Her Majesty, and I think many people are of the same opinion.

We would always do well, in fact, to follow Her Royal Majesty's example and remember that public life should be a life of service to the people, and that public service truly is a noble cause.

On behalf of the Ontario NDP caucus, I wish Her Royal Majesty Queen Elizabeth II good health and long life in the continuation of her service to the people of the United Kingdom, Canada and beyond.

God save the Queen.

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**The Speaker (Hon. Dave Levac):** I thank all members for their heartfelt and kind comments. I will make arrangements to have a copy of our comments, delivered to Buckingham Palace, with our gratitude and our deep appreciation in the whole House.

I do share with you that I was very blessed to be the coordinator of the Queen's visit long before I became a politician, and I can tell you: one classy lady.

Thank you.

## ORDER OF BUSINESS

**The Speaker (Hon. Dave Levac):** Government House leader.

**Hon. Yasir Naqvi:** Speaker, I trust you will find that we have unanimous consent to put forward a motion without notice regarding Bill 66, An Act to protect and restore the Great Lakes-St. Lawrence River Basin.

**The Speaker (Hon. Dave Levac):** The Government House leader believes we have unanimous consent to put forward a motion without notice regarding Bill 66, An Act to protect and restore the Great Lakes-St. Lawrence River Basin.

Do we agree?

**Mr. Gilles Bisson:** Point of order.

**The Speaker (Hon. Dave Levac):** Point of order.

**Mr. Gilles Bisson:** Can the government House leader please get in the habit of sending us copies of those? I don't have it. I'd like to have it as you read it.

*Interjection.*



**The Speaker (Hon. Dave Levac):** Okay, I'll let that happen with House leaders.

So do we agree? Agreed.

**Hon. Yasir Naqvi:** Speaker, I move that, notwithstanding the order of the House dated Tuesday, June 2, 2015, the following arrangements be made with respect to Bill 66, An Act to protect and restore the Great Lakes-St. Lawrence River Basin:

That the Standing Committee on General Government be authorized to meet on Wednesday, September 23, during its regularly scheduled meeting time and on Thursday, September 24, from 2 p.m. to 6 p.m. for the purpose of public hearings on the bill;

That the committee be authorized to meet on Monday, September 28, and Wednesday, September 30, during its regularly scheduled meeting times for the purpose of clause-by-clause consideration of the bill;

That the Clerk of the Committee, in consultation with the committee Chair, be authorized to arrange the following with regard to Bill 66:

That notice of public hearings be posted on the Ontario parliamentary channel, the Legislative Assembly's website and CNW newswire;

That the deadline for requests to appear be 2 p.m. on Thursday, September 17, 2015;

That following the deadline, the Clerk of the Committee provide the members of the subcommittee with a list of requests to appear;

That if all requests cannot be accommodated, the members of the subcommittee prioritize and return the list by 6 p.m. on Thursday, September 17, 2015;

That if required, the Clerk of the Committee schedule witnesses from these prioritized lists;

That each witness receive up to five minutes for their presentation, followed by nine minutes for oral questions from committee members;

That the deadline for written submissions be 6 p.m. on Thursday, September 24, 2015;

That the deadline for filing amendments to the bill with the Clerk of the Committee shall be 12 noon on Friday, September 25, 2015;

That at 4 p.m. on Monday, September 28, 2015, those amendments which have not yet been moved shall be deemed to have been moved, and the Chair of the committee shall interrupt the proceedings and shall, without further debate or amendment, put every question necessary to dispose of all remaining sections of the bill and any amendments thereto. At this time, the Chair shall allow one 20-minute waiting period, pursuant to standing order 129(a);

That the committee shall report the bill to the House no later than Thursday, October 1, 2015;

That upon receiving the report of the committee on Bill 66, the Speaker shall put the question for adoption of the report forthwith, and at such time, the bill shall be ordered for third reading, which order may be called that same day;

That in the event that the committee fails to report the bill on Thursday, October 1, 2015, the bill shall be

deemed to be passed by the committee and shall be deemed to be reported to and received by the House and shall be deemed to be ordered for third reading;

That when the order for third reading is called, two hours shall be allotted to the third reading stage of the bill, apportioned equally among the recognized parties. At the end of this time, the Speaker shall put every question necessary to dispose of this stage of the bill without further debate or amendment;

That the vote on third reading may be deferred, pursuant to standing order 28(h), and that, in the case of any division relating to any proceedings on the bill, the division bell shall be limited to five minutes.

**The Speaker (Hon. Dave Levac):** Mr. Naqvi moves that, notwithstanding the order of the House—

**Interjection:** Dispense.

**The Speaker (Hon. Dave Levac):** Dispense? Dispensed.

Agreed? Carried.

*Motion agreed to.*

#### APPOINTMENT OF TEMPORARY ENVIRONMENTAL COMMISSIONER

**The Speaker (Hon. Dave Levac):** Government House leader.

**Hon. Yasir Naqvi:** A point of order, Speaker: I believe you will find that we have unanimous consent to put forward a motion without notice with respect to the Environmental Commissioner, and that the question on the motion be put immediately, without debate or amendment.

**The Speaker (Hon. Dave Levac):** Do we have unanimous consent to put forward a motion without notice? Agreed? Agreed.

**Hon. Yasir Naqvi:** Speaker, I move that an humble address be presented to the Lieutenant Governor in Council as follows:

"To the Lieutenant Governor in Council:

"We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly of the province of Ontario, now assembled, request the appointment of Ellen Schwartzel, as temporary Environmental Commissioner for the province of Ontario as provided in the Environmental Bill of Rights Act, to hold office under the terms and conditions of the said act, commencing September 14, 2015, until December 1, 2015."

And that the address be engrossed and presented to the Lieutenant Governor in Council by the Speaker.

**The Speaker (Hon. Dave Levac):** Mr. Naqvi moves that an humble address be presented to the Lieutenant Governor in Council as follows:

"To the Lieutenant Governor in Council—"

**Mr. Gilles Bisson:** Dispense.

**The Speaker (Hon. Dave Levac):** Dispense? Agreed? Agreed.

Do we agree? Carried.

*Motion agreed to.*



**Hon. Yasir Naqvi:** Speaker, I believe you will find that we have unanimous consent to put forward a motion without notice with respect to the Ombudsman and that the question on the motion be put immediately without debate or amendment.

**The Speaker (Hon. Dave Levac):** The government House leader is seeking unanimous consent to put forward a motion without consent. Do we agree?

*Interjection.*

**The Speaker (Hon. Dave Levac):** I heard a no.

*Interjection.*

**The Speaker (Hon. Dave Levac):** Do we have a point of order?

**Mr. Gilles Bisson:** Yes, I do have a point of order. I seek unanimous consent in order to move a motion without notice in regard to the current Ombudsman, that we extend his term for a period of six months.

**The Speaker (Hon. Dave Levac):** The member from Timmins–James Bay is seeking unanimous consent to perform a motion without notice. Do we agree?

*Interjection.*

**The Speaker (Hon. Dave Levac):** I heard a no.

### INTRODUCTION OF VISITORS

**Mr. Rick Nicholls:** I'd like to welcome two guests to the Legislature today. They're sitting in the members' gallery: Mr. Louis Sapi and Justin Fogarty. Welcome.

**Ms. Cheri DiNovo:** It's a delight to welcome back to the Legislature someone who sat here for almost 25 years on behalf of the people of Trinity–Spadina, Mr. Rosario Marchese.

**The Speaker (Hon. Dave Levac):** It looks like I'm going to have to do my introductions first before everybody else steps on my normal procedure.

The member from Eglinton–Lawrence on an introduction of guests.

**Mr. Mike Colle:** I'd like to introduce my good friend and former colleague who served this House with great distinction, the member from Barrie, Joe Tascona. Joe, welcome.

**The Speaker (Hon. Dave Levac):** I think I forced that on myself.

The member for Bruce–Grey–Owen Sound.

**Mr. Bill Walker:** I'd like to introduce page Eastyn Klages and her father, Bryce Klages, from the great riding of Bruce–Grey–Owen Sound.

**Ms. Cindy Forster:** I'd like to welcome Fred Hahn, the CUPE Ontario president, and some of his executive here today.

**Ms. Soo Wong:** I'm pleased to welcome my good friend Thomas Saras, the president of the National Ethnic Press, and his daughter Maria here to Queen's Park today.

**Mr. John Yakabuski:** I'd like to welcome to the House today Chris Froggatt. I'm sure a lot of you know Chris, but if you really want to blame anybody for getting me here, Chris was my first campaign manager.

**Mr. Peter Tabuns:** I'd like to welcome Ja Kai Shwe, mother of page Grace Maili Sengfah. Welcome to the Legislature.

**Hon. Steven Del Duca:** I'd like to recognize and welcome the president of my riding association, the Vaughan Provincial Liberal Association, Gillian Vivona, who is here in the members' gallery with us today.

**Ms. Sylvia Jones:** As you can imagine, there are many, many special guests here for this momentous day, but I would particularly like to welcome the head of the Ontario Professional Fire Fighters Association, Carmen Santoro.

**Hon. Michael Gravelle:** I'd like all members of the Legislature to welcome my dear sister Susan Houghton and her devoted husband, Roy.

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**Ms. Lisa M. Thompson:** I'd like to welcome my new LA, Jessica Trepanier, and Heather Bone, a co-op student from University of Waterloo. I look forward to working with them.

**Mr. Harinder S. Takhar:** I am very pleased to welcome Gurdev Gill and Manjeet Gill from Brampton.

**Ms. Laurie Scott:** I'd also like to welcome my new assistant at Queen's Park, Jason Wang.

**Mrs. Kathryn McGarry:** I'd like to introduce this morning, in the members' gallery, Chris Yaccato, provincial manager for government relations for the Lung Association. Welcome.

**Mr. Lorenzo Berardinetti:** I wanted to introduce the mother of page Krishaj Rajbhandari. Her mother, Jasmine, should be here in the public gallery watching question period today.

**Ms. Ann Hoggarth:** I'd like to welcome my new assistant, Cole Walsh, from the great riding of Barrie.

**The Speaker (Hon. Dave Levac):** Thank you. And now for my tradition: With us we have three former members in the gallery. We have Steve Gilchrist from Scarborough East, from the 36th and 37th Parliaments. We have Joe Tascona, Simcoe Centre, 36th, and Barrie–Simcoe–Bradford, 37th and 38th Parliaments. Welcome, Joe. We also have, from Fort York, 35th, 36th, and Trinity–Spadina, 37th, 38th, 39th and 40th, Rosario Marchese.

Welcome, all of our guests, and thank you for being here.

### ORAL QUESTIONS

#### JOB CREATION

**Mr. Patrick Brown:** Mr. Speaker, my question is for the Premier.

The Progressive Conservative team at Queen's Park will be taking a new approach. When the Liberals act in the best interests of Ontario, we'll be the first to applaud them. When the government doesn't act in the best interests of Ontario, we will hold them accountable.

Frankly, today we need to hold the government accountable: accountable for 300,000 lost manufacturing jobs, accountable for skyrocketing electricity prices—

*Interjections.*

**The Speaker (Hon. Dave Levac):** Stop the clock.

*Interjections.*

**The Speaker (Hon. Dave Levac):** Actually, now I'm going to ask all sides to come to order. Just for the record, I will be tougher, if you—it can happen.

Please finish.

**Mr. Patrick Brown:** Mr. Speaker, why does the Premier care so little about all these hard-working Ontario families who have lost their jobs because of her reckless energy policy?

*Interjections.*

**The Speaker (Hon. Dave Levac):** Be seated, please. Thank you.

Premier.

**Hon. Kathleen O. Wynne:** First of all, I want to welcome the Leader of the Opposition to the House and to say congratulations to him. I know that it takes a lot of energy and a lot of organizing to put your name on a ballot, to win a leadership and to get here to take a seat, so congratulations on that. I look forward to having debates in this place about the plan that we are implementing, our investments in the people of this province.

I know that the member opposite may not be aware, but this morning the Minister of Education and I announced a program called Experience Ontario. Six hundred young people across Ontario will have the opportunity to have a work experience after high school to help them to decide where they might go, whether they'll go to post-secondary or training or into a job. So the fact is—

*Interjections.*

**The Speaker (Hon. Dave Levac):** Stop the clock.

It goes both ways.

Finish, please.

**Hon. Kathleen O. Wynne:** I hope that he will take a look at that program because it might be one of the things that he would want to applaud.

*Interjection.*

**The Speaker (Hon. Dave Levac):** The member from Prince Edward–Hastings come to order.

Supplementary?

**Mr. Patrick Brown:** Mr. Speaker, again to the Premier—and thank you for the well wishes. Over and over again, the people of Ontario have made it clear: Our energy rates are too high. It's costing Ontario jobs; it's costing the people of Ontario the opportunity to thrive and succeed.

Just recently, Windsor was passed over for an auto plant because of Liberal policies. Recently, the CEO of Fiat Chrysler said that “you need to create the conditions to be competitive.” I agree.

Mr. Speaker, when will the Premier create the conditions in Ontario where we will stop driving jobs out of this province?

**Hon. Kathleen O. Wynne:** Mr. Speaker, it's been a long summer. Let's just go over what has been happening.

Under our leadership, Ontario has created 564,200 jobs since the recession; 95% of those jobs are full-time jobs. In the last—

*Interjections.*

**Hon. Kathleen O. Wynne:** I think you might want to hear this.

*Interjections.*

**The Speaker (Hon. Dave Levac):** Stop the clock. The member from Nepean–Carleton will come to order, and shouting people down is not my idea of a good start.

Finish, please.

**Hon. Kathleen O. Wynne:** In the last seven months—so very recently—Ontario has gained over 15,000 new manufacturing jobs. For the second year in a row, Ontario is the leading North American jurisdiction for foreign direct investment.

I know that the economy is fragile. I know that we are working in a context of a global economy that is fragile, but we are putting in place the conditions that are bringing investment to Ontario and are creating jobs. That's what we're doing.

**The Speaker (Hon. Dave Levac):** Final supplementary.

**Mr. Patrick Brown:** Again to the Premier: It appears that we have hit a nerve.

Knocking on thousands of doors during the Simcoe North by-election, I was taken aback by countless stories of families worried about the fire sale of Hydro One. The public does not support this fire sale. The Liberals should hit the pause button, given the overwhelming public opposition.

Mr. Speaker, how can the Premier callously proceed with this sale despite opposition well in excess of 70%?

**Hon. Kathleen O. Wynne:** Mr. Speaker, I'm not sure whether that was a new question, but the reality is that those investments that I am talking about, those investments in infrastructure, whether it's roads or bridges or transit, are the investments that are driving the recovery that I was talking about. They are driving the jobs coming to Ontario. Ontario's unemployment rate has fallen to 6.8%. It's below the national average.

Now, I know that there are still people in this province who are struggling to find a job. I understand that. That's why we are making the investments that we are making. That's why we are putting the training and education programs in place that invest in our people's talent and skills. That's why we're working with business to partner and make sure that they have the opportunity to expand.

## FIREFIGHTERS

**Mr. Patrick Brown:** Thirteen years ago, Ontario lost a hero from Simcoe county, Bill Wilkins. Bill Wilkins was a firefighter who served the city of Barrie and lost his life protecting Ontario. Bill raced into a burning home. Sadly, tragically, he didn't make it out.



While I was in Ottawa, I worked with all parties to support a motion to provide benefits to the families of these fallen heroes. It was a small gesture to make life a little bit easier for those who have lost loved ones.

Mr. Speaker, my question for the Premier is this: Will she support survivor benefits for the families of first responders who have fallen in the service of our province?

**Hon. Kathleen O. Wynne:** I just want to acknowledge the firefighters who are here. I know that some of the leadership is here. I also want to say to them that it has been a wonderful experience for our government to have been working with the firefighters in Ontario since we came into office. The changes that have been made in presumptive legislation, the safeguards that have been put in place for our firefighters, are remarkable.

This is one of those areas where we have an ongoing conversation with the firefighters of this province. I've often said that every one of the members in our government has the opportunity every year to talk with firefighters. We know what the issues are and we will continue to work with them, as we have, Mr. Speaker.

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**The Speaker (Hon. Dave Levac):** Supplementary?

**Mr. Patrick Brown:** Again to the Premier: We've had an ongoing conversation for 12 years.

In a few weeks, we will both be participating in the National Peace Officers' Memorial Run. I'm continually amazed by the courage of our first responders. Each day, they go to work facing unknown dangers to protect us, to protect Ontario. Those emergency responders ask for very little in return. An Ontario hero fund, similar to the benefit established for fallen soldiers, would be appropriate.

While this government threw away \$1.1 billion on the gas plants scandal, while they squandered a billion dollars on the Ornge ambulance mismanagement, there's nothing for emergency responders.

Mr. Speaker, how can the Premier squander billions when families of emergency workers deserve and need our help?

*Interjections.*

**The Speaker (Hon. Dave Levac):** Be seated, please. Be seated, please. Thank you.

Premier?

**Hon. Kathleen O. Wynne:** Again, I would just reinforce what I said in my first answer: that we have had a very good working relationship with our firefighters and first responders in this province, and we have made many changes—including the presumptive legislation that I just talked about—in response to challenges that first responders, including firefighters, have brought to us.

If there are new ideas that are coming from the Leader of the Opposition—we've had all-party support for the changes that we have put in place. We'll continue to work in that manner, because, like the Leader of the Opposition, I am 100% certain that the work that is done by the first responders in this province is essential. We

support them. We have done, and we will continue to do so.

**The Speaker (Hon. Dave Levac):** Final supplementary.

**Mr. Patrick Brown:** Again to the Premier: Firefighters, paramedics and police officers see things we never want to see. Post-traumatic stress disorder is real, and help needs to be immediate. As you know, I said earlier today that there is no monopoly on a good idea. That's why I support the NDP motion to enable faster access to PTSD support.

While the opposition is united in the need for support, the government continues to delay. Mr. Speaker, will the Premier join the opposition and fast-track the bill to ensure no more heroes slip through the cracks?

**Hon. Kathleen O. Wynne:** I think that the Leader of the Opposition might know that there is a very active discussion going on with the employees, with workers about PTSD. I know that the Minister of Labour is engaged on this subject.

We have never said that we were opposed to the notion of coverage for PTSD. In fact, we recognize that this is a very live and current issue. It's something that we know more about every year, and that's why we're engaged in a discussion about how we can best respond.

I would say to the member opposite that we will continue to work with him, with the third party and, most importantly, with the people who are dealing with PTSD to make sure we put the right coverage in place.

## PRIVATIZATION OF PUBLIC ASSETS

**Ms. Andrea Horwath:** My question is for the Premier. It's always a privilege to spend the summer listening to Ontarians, and everywhere that I went this summer—from Oshawa to Sarnia, downtown Toronto to Timmins—I heard the same message for the Premier: Families and businesses want her to stop the sell-off of Hydro One. They want her to stop this costly privatization of our electricity system and keep our hydro in public hands.

My question, Speaker, is this: How can the Premier turn her back and plow ahead with a scheme that Ontarians overwhelmingly reject?

**Hon. Kathleen O. Wynne:** Mr. Speaker, the reality of governing is that there are very difficult choices and decisions that have to be made. We know that the investments that are necessary in this province in order for us to be able to grow and thrive, in order for communities all across the province to be able to thrive—the reality is that there needs to be investment. I'm talking about across the province.

The week before last, I was in Red Lake. The number one subject that Mayor Phil Vinet wanted to talk to me about was infrastructure investment: Highway 618, the need for a road north from Red Lake to Pikangikum, transmission of electricity. Those kinds of investments are what is needed across the province.



That is the rationale, Mr. Speaker: the investments that are needed across the province. That's the plan that we put forward and that's the work that we're doing.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Ms. Andrea Horwath:** Speaker, the reality is that this Premier is not listening to Ontarians. The Liberals' own polls show that three out of four people are against the Premier's privatization scheme, and opposition to a sell-off that is cloaked in secrecy is actually growing by the day in this province. A new poll says that a staggering 83% of folks want to stop the sale of Hydro One.

It has never been more clear that the Premier has no mandate, no public support and not a shred of evidence to back up her scheme. How can this Premier plow ahead with this sell-off that Ontarians overwhelmingly reject?

**Hon. Kathleen O. Wynne:** I know that the leader of the third party is referring to some polling that she has had the opportunity to look at. Had she looked at the entire document, she would have known that an overwhelming majority of people also believe that investing in infrastructure is critical.

So here is the reality: There—

*Interjection.*

**The Speaker (Hon. Dave Levac):** Stop the clock, please. The member from Renfrew–Nipissing–Pembroke, second time.

**Hon. Kathleen O. Wynne:** We've made a commitment to invest \$130 billion in infrastructure over the next 10 years. We are building across the province. We know that in order for this economy in Ontario to thrive, we need to make that investment. Provinces across the country know that that's critical. It's why in the federal election, all the leaders are talking about infrastructure investment. They know it's necessary as well. We're going to continue to make those investments, because we know that the economy can thrive in Ontario, and this is the way that we need to go.

**The Speaker (Hon. Dave Levac):** Final supplementary.

**Ms. Andrea Horwath:** The Premier is catering to a small group of her powerful friends. Her favourite banker is now embedded in her office, and she is ignoring the voices of Ontarians who are determined to stop the privatization scheme that even Mike Harris had the good sense to back away from.

The Premier has no mandate, she has no public support and she has no evidence whatsoever to show that the sell-off of Hydro One is the right direction to go. Will this Premier finally admit to Ontarians that they are right and that she is wrong, and stop the sell-off of Hydro One?

**Hon. Kathleen O. Wynne:** Essentially, what the leader of the third party is saying is that we should not make the investments in infrastructure that we are making. So I would ask the leader of the third party what she would advise us to cancel. Should we cancel the electrified Barrie line that would advance weekly trips from 70 to 200? Should we cancel the Kitchener line? Should we cancel the Hamilton LRT? Should we cancel the Con-

necting Link Program for rural Ontario, which is \$15 million annually? Should we cancel any support for SmartTrack in Toronto? Should we cancel the Maley Drive extension in Sudbury? Should we cancel the four-laning of Highway 11/17 between Thunder Bay and Nipigon?

Mr. Speaker, the reality is that the leader of the third party would have to advise us which of those projects we should cancel.

**Ms. Andrea Horwath:** Speaker, no, she should cancel the sale of Hydro One, is what she should do. How embarrassing—the only Premier in the history of the province of Ontario who can't build infrastructure and keep Hydro One public at the same time. Pretty embarrassing.

**The Speaker (Hon. Dave Levac):** Thank you.

New question, the leader of the third party.

## PRIVATIZATION OF PUBLIC ASSETS

**Ms. Andrea Horwath:** The question is to the Premier. The Liberals have no mandate. They have no public support for the sell-off for Hydro One. But worst of all, the Premier is refusing to be open and transparent with Ontarians. When the Financial Accountability Officer tried to do his job by bringing some level of transparency to this process, the Liberals slammed the door in his face. And while the Liberals paid \$7.5 million for reports and studies, they refuse to share those studies with Ontarians.

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Why is it so easy for this Premier to roll over on her promise to be transparent and to be accountable, especially on this issue, the biggest policy shift in this province's history, at least in the last generation or so?

**Hon. Kathleen O. Wynne:** I know the leader of the third party knows that we are acting in accordance with the legislation that she voted for, the Financial Accountability Officer Act. She knows that there are certain records that are in the purview of the Financial Accountability Officer and there are certain ones that aren't.

This is the legislation that she supported, Mr. Speaker, and here are the parameters: Ministries and public entities must "give the Financial Accountability Officer ... any financial, economic or other information that is" necessary to the performance of his or her mandate. Exceptions are provided with respect to cabinet records, personal information and personal health information. Mr. Speaker, the leader of the third party knows that full well.

She also knows that in the broadening of ownership of Hydro One, the government is retaining 40% of that ownership. The people of Ontario will retain 40%. She also knows that control of the board, in terms of being able to remove the board, remove the chair of the board, remains with the government. She knows full well that no entity will be able to own more than 10%. Mr. Speaker, she knows those controls are in place.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Ms. Andrea Horwath:** Speaker, this Premier knows full well that she has promised again and again and again

to be open and transparent. In her very first throne speech, she promised to be "accountable to all the people of Ontario, and work to prevent mistakes before they occur." The sale of Hydro One is one of the biggest mistakes that the Liberals are about to make.

But when the Financial Accountability Officer asks for the facts, he's ignored, and when the Ontario Chamber of Commerce appealed for evidence, the Liberals ignored them too.

Why does this Premier think that openness, transparency and accountability are too much to ask for when it comes to the sell-off of Hydro One?

**Hon. Kathleen O. Wynne:** Mr. Speaker, the information that was asked for that fell within the parameters of the legislation was provided. We have provided all the information, with the exception of some cabinet records that were excluded by the legislation that the leader of the third party supported. She cannot have it both ways. She cannot support legislation and then turn around and say, "That legislation is not good enough and we want something different," or, "We want you to break the law; we want you to go against the legislation." She cannot have it both ways.

She also, Mr. Speaker, cannot—

*Interjections.*

**The Speaker (Hon. Dave Levac):** Premier?

**Hon. Kathleen O. Wynne:** Mr. Speaker, we are complying with the legislation. We are also investing in infrastructure around this province. That is what this is about. It is about making the investments that we know are needed across the province.

The leader of the third party has not been supportive of that, much to our surprise, because I think she should be supporting the roads and the bridges and the transit investments in every corner of this province.

**The Speaker (Hon. Dave Levac):** Final supplementary.

**Ms. Andrea Horwath:** Speaker, I find it shocking that the Premier pretends to be so incredulous that we expect her to be transparent and open when that's all she's talked about for over a year in this chamber. This is not the kind of government that this Premier promised Ontarians. Rather than openness and transparency, we see another Liberal Premier who's keeping families, businesses and this Legislature in the dark; another Liberal Premier who puts her powerful friends and favourite bankers ahead of the people of this province; another Liberal Premier who is forcing Ontarians to pay the price for her bad choices.

Speaker, why does this Premier suddenly think that openness, transparency and accountability are just too much for the people of Ontario to ask from her?

**Hon. Kathleen O. Wynne:** Mr. Speaker, I think it is what the people of Ontario should expect and it's what we bring to the people of Ontario. The fact is there is a Financial Accountability Officer in place in this province. I would say to the leader of the third party that she was part of that discussion and she raised the notion of a Financial Accountability Officer. We have worked with

her party to put that in place and she supported the legislation that is now in place.

When information is asked for, we comply with the legislation; we provide that information. Most importantly, we have spent months talking about and working with communities on the infrastructure investments that they need, knowing full well that if their economies are going to thrive, if they are going to be able to provide jobs in the short term and economic well-being in the long term, they need those infrastructure investments.

That's the plan that we ran on. That's the plan that we're putting in place.

## PRIVATIZATION OF PUBLIC ASSETS

**Mr. Todd Smith:** My question this morning is to the Premier. Premier, you're not only selling Hydro One, you're keeping Ontario taxpayers in the dark while you do it. Schedule 38 of the budget bill removed from Hydro One the responsibility of disclosing executive salaries, in spite of the fact that Hydro One is still in public hands for now. Hydro users who are seeing skyrocketing hydro bills have no idea how much of their bill is actually now going into the wallets of suits at Hydro One.

Premier, shouldn't taxpayers have the right to know how much they're paying high-priced hydro executives?

**Hon. Kathleen O. Wynne:** Minister of Energy.

**Hon. Bob Chiarelli:** Under the Ontario Securities Commission, which would govern Hydro One in this situation, they're required to file every year the salaries of their highest-paid executives—I think there are six or seven of them or somewhere in that number—plus the board of directors. It will be completely public and transparent.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Mr. Todd Smith:** This hydro scheme is nothing but Liberals paying their high-priced Liberal friends. That's all this is: Liberals paying Liberals. We know that there's no bottom of the trough when it comes to Liberal friends on Bay Street.

*Interjection.*

**The Speaker (Hon. Dave Levac):** Minister of Economic Development, come to order.

**Mr. Todd Smith:** When he was CEO—

*Interjection.*

**The Speaker (Hon. Dave Levac):** Stop the clock, please. I'm not sure he heard me over his shouting. The Minister of Economic Development will come to order. Don't test.

*Interjection.*

**The Speaker (Hon. Dave Levac):** I don't need another armchair.

Carry on, please.

**Mr. Todd Smith:** Thank you, Mr. Speaker. When Carmine Marcello was the CEO of Hydro One, his salary was in excess of \$740,000 a year, making him one of the highest-paid executives in the public sector. Last month, Premier, you hired a new CEO for Hydro One whose



previous private sector compensation regularly topped \$5 million a year.

I'm wondering if that's the reason why you took executive pay at Hydro One off the sunshine list: because you didn't want taxpayers to know that you had backed up the Brink's truck to pay for your new hydro CEO.

**Hon. Bob Chiarelli:** The new leader of the PCs is quoted as saying, "I generally believe that the private sector can do a better job than the public sector. I... think market conditions would be helpful for a lot of government agencies."

The PC Party has been in favour of taking Hydro One public for some time now. They made a failed effort in 2002. They also have in their white paper, which was adopted by the previous leader just a couple of years ago, that they supported Ontario Power Generation and Hydro One being sold partially to the public, as we're doing. Not only that, but with respect to rates, they said and they adopted in their white paper that the Ontario Energy Board could protect rates—

**The Speaker (Hon. Dave Levac):** Thank you. Stop the clock. I've heard two trends today that I'm going to make reference to. The first one, again, is that I would remind all members I am not happy when anyone uses anything else other than people's titles or their ridings. It stays that way for a reason, and I want it to stay there.

The second one is that you would all be well to follow the leaders of your respective parties when it comes to questioning for this reason. I would ask you to address the Speaker and refer to the members in the third person. That helps us with the debate emotions. I would ask all of us to stay focused. You're supposed to be directing questions and answers through me. I appreciate it.

New question.

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## PRIVATIZATION OF PUBLIC ASSETS

**Mr. Peter Tabuns:** My question is to the Premier. The Premier promised that the government would retain de facto control of a privatized Hydro One. Meanwhile, the Ed Clark report offers a promise to investors that the government will exercise no control over a privatized Hydro One. The Premier can't keep both of these promises. The Premier needs to disclose which of these promises she intends to break in the Hydro One prospectus. The prospectus was supposed to be released this month, but it is nowhere to be seen. What is in the Hydro One prospectus that's so bad that the government has been delaying its release?

**Hon. Kathleen O. Wynne:** Minister of Finance.

**Hon. Charles Sousa:** I appreciate the question. I think the member opposite also recognizes the sensitivity that we're under here to try to maximize the value of Hydro One, while respecting the process and the procedures in order to go through the prospectus and to bring it to market. So as a result of that and the quiet period, which the Ontario Securities Commission requires us to do—we

certainly don't want to break that law, so that we make certain that we proceed in the appropriate manner.

We recognize that the discipline and the ability for Hydro One to succeed requires the sector to do its due diligence, and that's what we're allowing them to do. We know that the inherent value in Hydro One can be even improved. We want to make certain that occurs as well.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Mr. Peter Tabuns:** Speaker, again to the Premier: Last week, an Environics poll revealed that opposition to the government's Hydro One privatization has grown: 83% of Ontarians oppose this sale; 61% say they are strongly opposed. In fact, according to the poll, half of Ontarians are so opposed to the Hydro One sale that they are less likely to vote for the federal Liberals in the upcoming election.

Is the Premier delaying the release of the Hydro One prospectus because she knows it will enrage the people of Ontario and lose votes for Justin Trudeau?

**Hon. Charles Sousa:** Mr. Speaker, the process is unfolding to enable the public and investors and everyone associated to have full understanding as to what Hydro One is and will be, for the benefit of the people of Ontario and for the majority holders—which are the province of Ontario and, ultimately, the people of Ontario—and then broadening that ownership to enable us to re-invest in other assets that are just as critical, enabling us to improve our economic competitiveness.

That is what we're doing here. We're out there to protect the people's interests while maximizing its value and reinvesting into our economy, for the benefit of all. We'll continue to do so.

## REFUGEES

**Mr. Shafiq Qaadri:** Ma question est pour le ministre de la Santé et des Soins de longue durée, l'honorable Dr. Eric Hoskins.

My question concerns the migrant crisis, which is unfolding as we speak across Europe and beyond, as tens of thousands of refugees seek freedom and security and recognition as being part of the human family.

I start, Speaker, by offering our deep condolences on behalf of all members of this Legislature to the family of three-year-old Alan Kurdi, brother Galib and mother Rehana, and to the countless other families who are like them and those who will be like them.

Given this global tragedy, the time to respond, to pledge support, to act is now. I think that has been, until very recently, the Canadian way of doing things. Whether you're an average citizen, an elected official, a community leader, a responsive Premier or a reluctant Prime Minister, we can all work together to address this human crisis.

Minister, can you—

**The Speaker (Hon. Dave Levac):** Thank you. Minister of Health and Long-Term Care.

**Hon. Eric Hoskins:** I want to thank the member from Etobicoke North for this very important question.



Mr. Speaker, I was proud to be at the Premier's announcement on Saturday, announcing \$10.5 million for the Syrian refugees, many of whom will come to Canada, but also that \$2 million of that is allocated to helping refugees in the region.

The federal cuts that they made a couple of years back to the Interim Federal Health Program left our refugee claimants in this province and across Canada unprotected, and put our doctors in an untenable position, forcing them to choose who should be treated. As we all know, the Federal Court of Canada and the Supreme Court struck down the changes to that interim health program on the basis of being "cruel and unusual." They required the feds to reinstate health care to refugees.

Mr. Speaker, the Supreme Court recognized that it was cruel to deny insulin to diabetics and it was cruel to deny cancer treatment—

**The Speaker (Hon. Dave Levac):** Thank you. Supplementary?

**Mr. Shafiq Qadri:** Thank you, Minister. Firstly, I commend you on your own personal, globally recognized medical service for refugees, and know that you strive to implement that vision of the Premier and her government here at home.

Sadly, Minister, as you've cited just now, it can in fact take the Supreme Court of Canada, or at least the latest polling, to extract, induce or manufacture such behaviour from the current federal government. It took a court decision to remind and reconfirm for the feds what we have said all along: that our health care system—indeed, our country—should reflect fairness, compassion and humanity, offering medical care to all our residents, old or recent.

Our government believes in one Ontario, an Ontario that protects people living here—not chosen by postal code, riding, income or any other demographic that you would care to parse.

Minister, would you please inform this House—what has our government and your ministry done to address these concerns?

**Hon. Eric Hoskins:** Thank you again to the member from Etobicoke North for the opportunity to discuss how Ontario is acting to address the health cuts that were made by the federal government.

Our government reinstated access to essential and urgent health care services for refugee claimants through a program called the Ontario Temporary Health Program. Not only was that the right thing to do, the humane thing to do, but it also reflects our commitment to evidence-based decision-making, because it keeps all Ontarians safe and healthy. To date, our government and my ministry have spent nearly \$2 million on this program, helping our refugee claimants get the health care they need and deserve. Quite simply, waiting until a patient needs emergency care is more expensive. More importantly, it fails the patient.

We call on the federal government to end their appeal of the Supreme Court decision and restore full and essential medical coverage for these vulnerable refugees.

*Interjections.*

**The Speaker (Hon. Dave Levac):** Stop the clock, please. Be seated, please. Thank you.

New question.

## HIGHWAY TOLLS

**Mr. Michael Harris:** My question is to the Premier. Premier, after forcing motorists to idle in sweltering heat to accommodate 235 kilometres of HOV lanes, your transportation minister deserves the Pan Am gold for highway gridlock and wasteful spending.

He spent 61 million Ontario taxpayer dollars on a traffic plan that featured peel-and-stick, fly-away lane markings, and electronic messages to stay at home, while motorists fumed in standstill traffic. Now we wait for your HOV legacy to drop the other shoe on us as you magically transform HOVs into HOTs—high-occupancy tax machines.

Premier, when will Ontario motorists be forced to pay a second time for the privilege of driving on roads their taxes have already paid for?

**Hon. Kathleen O. Wynne:** Mr. Speaker, I know that the member opposite wants to go into the details of the transportation aspects of this, and I know that the Minister of Transportation is eager to talk about high-occupancy toll lanes.

I have to take this opportunity, though, to say what a wonderful, wonderful experience for this province the Pan Am Games were. It was amazing to be able to watch those athletes, those young people from across the Americas, come to Ontario, and to showcase the very best of what we had in Ontario. More than a million tickets were sold for 51 sporting events. More than 1.4 million people attended celebrations, like Panamanian at Nathan Phillips Square. I had the opportunity to go to 21 events in Pan Am and 12 events in Parapan. It was an experience of a lifetime.

I hope that the member opposite had the opportunity to attend even one event, because he would have caught that spirit.

*Interjections.*

**The Speaker (Hon. Dave Levac):** Be seated, please. Be seated, please. Thank you.

Supplementary?

**Mr. Michael Harris:** I did, Premier, but let's get back to those high-occupancy tax lanes. Premier, if your minister can't take the heat, he should move over and get out of the HOT lane.

Premier, despite your minister's recent attempts to delay the HOT toll truth, there is no secret: We all see your latest tax grab for exactly what it is. The only reason you're hiding the details of your HOT tax plan is so you won't burn your federal BFF, Justin Trudeau. Premier, quit the stalling and tell Ontario motorists what they will be paying to drive on their new two-tier highways in Ontario.

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**Hon. Kathleen O. Wynne:** Minister of Transportation.

**Hon. Steven Del Duca:** I want to begin by thanking the member opposite for the question, but also for admitting here in the House today that he did actually take the opportunity to go to some of the Pan Am Games. Thank you very much to him.

I also want to say that in both the original question and the supplementary, the member opposite talked about the transportation plan for the wildly successful Pan Am and Parapan Am Games. A couple of things to note, Speaker: During the games themselves, we noticed a 25% increase in GO Transit ridership—phenomenal numbers that we saw. We saw across this entire region more people car-pooling for the very first time as a result of the very robust message and plan that we put forward in advance of and during the Pan Am Games.

The Premier has said it and I've said it; through budget 2014 and budget 2015, our government explicitly said that we will be introducing high-occupancy toll lanes at some point. We continue to take all that we've learned from the experience of the Pan Am/Parapan Am Games, and I will provide an update and the Premier will provide an update—our government will provide an update in the near future.

#### TEACHERS

**Mrs. Lisa Gretzky:** My question is to the Premier. Parents and students deserve stability in our children's classrooms, but across Ontario, this Liberal government has left too many teachers and education workers without a contract for 379 days and counting. On Friday, the Liberals failed to reach an agreement with elementary teachers and let talks collapse once again.

Families deserve better. They deserve a government that doesn't try to impose cookie-cutter deals and that never walks away from genuine and meaningful negotiations with our dedicated teachers and education workers.

Will the Premier instruct her education minister to get back to the bargaining table today and get back to real negotiations?

**Hon. Kathleen O. Wynne:** Minister of Education.

**Hon. Liz Sandals:** I'm very pleased to report on the real negotiations that have been going on over the summer, because we spent hours and hours and hours and days and days and days with our friends from OSSTF, the Ontario Secondary School Teachers' Federation. We spent days and days and days and hours and hours and hours with our friends from the Ontario English Catholic Teachers' Association. I'm happy to report that, as a result of those negotiations, in fact we have tentative agreements with both of those groups.

Currently, we have been spending a lot of time with our francophone teachers who work in the English public and English Catholic boards, and we'll be carrying on with those discussions this week. I will carry on—

**The Speaker (Hon. Dave Levac):** Thank you.  
Supplementary?

**Mrs. Lisa Gretzky:** Speaker, maybe the Minister of Education should give the same consideration to the members of ETFO and CUPE.

The Premier should order her education minister back to the bargaining table today. That's what parents and students expect; that's what teachers and education workers deserve. Our children's education depends on the people who help students develop a love for learning, the people who open new doors and new worlds for the next generation, and the people who work so hard to keep our schools safe, clean and welcoming for our kids.

When will the Premier get back to negotiating in a meaningful and genuine way with thousands of teachers and education workers who have waited more than a year for the new contracts they deserve?

**Hon. Liz Sandals:** I would point out that it was the elementary teachers' federation that walked away from negotiations last spring and that the first day they would agree to begin negotiating was September 1. We were at the table starting September 1, the first—

*Interjections.*

**The Speaker (Hon. Dave Levac):** Stop the clock, please. I gave, earlier, some advice, and that's exactly the reason why: through the Chair.

Carry on, please.

**Hon. Liz Sandals:** And as you alluded to in your question, we in fact did give them the same offer. The government and the public school boards have provided an elementary version of the tentative agreements. We have put similar offers on the table. We await the response of the elementary teachers, and I very much hope that they will in fact accept the similar offer based on the same framework as OECA and OSSTF. That's what's on the table: the same offer.

#### COMMUNITY POLICING

**Mr. Yvan Baker:** My question is to the Minister of Community Safety and Correctional Services. Minister, since being elected, I've had a chance to meet with a number of police in my community, and they work hard every day to keep us safe. I occasionally hear about interactions between the police and members of my community, and overwhelmingly those interactions are positive. However, I have heard on occasion some concerns about interactions between police and members of the community that seem to be arbitrary or based on nothing more than race. Every time a person is stopped based on their race, it erodes the trust that should exist between police and the members of the community that they are a part of.

Last week I hosted, as you know, Minister, a street-check consultation in Etobicoke Centre at the Rathburn Area Youth Project at Burnhamthorpe Collegiate. The event was attended by over 40 constituents, most of whom were young people. Notwithstanding how they felt, they came and spoke candidly about the challenges that they face, and they had fantastic ideas on how government can help them. During our discussion, they



expressed concerns about the way street checks are being carried out.

Minister, could you please explain what you are doing on this issue?

**Hon. Yasir Naqvi:** I want to thank the member for Etobicoke Centre for asking this very important question.

Speaker, you may recall that back on June 16 of this year, I announced our government's intention that we will be bringing regulations dealing with street checks in the province of Ontario so that we have a consistent practice across the province. As a result, we've been consulting across the province, meeting with many, many community members to hear their experiences dealing with carding or street checks.

I want to commend the member from Etobicoke Centre for hosting his own consultation and forwarding the feedback that he received to us.

I want to be very clear, because there are two very key fundamental principles that are driving Ontario's approach for developing a new practice: number one, we take the protection of human rights very seriously, and there is absolutely zero tolerance when it comes to any kind of racial profiling or discrimination; second, that we stand opposed to any police stops that do not have a clear policing purpose and which are predicated solely on bias.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Mr. Yvan Baker:** Thank you, Minister, for that answer. It's great to hear that you've pursued these consultations with the people of Ontario and the members of my community in Etobicoke Centre are being heard.

Minister, you have said that as a government we stand opposed to stops that are predicated on racial bias. If we are opposed to that, then they should not be allowed to continue. So Minister, could you please explain to the Legislature why you are not simply banning street checks?

**Hon. Yasir Naqvi:** Speaker, I've attended many of the public consultations personally, and they have been very emotional. To hear the experiences of people from across the province, especially young people's experiences, has been moving. One thing that we have heard clearly is in terms of the definition of street checks, and they are essentially stops that are random and arbitrary, predicated on nothing more than bias, without any clear police purpose, a reason, a cause, a suspicious activity. If that is how one defines street checks, then let me be absolutely clear that our new regulations will end those types of stops. They will not be tolerated. In fact, they will be banned through our regulations.

Speaker, what we are now working on is making sure that those interactions that take place on the basis of suspicious activity or some sort of criminal activity—that there be rights-based safeguards put in place that comply with the Supreme Court of Canada jurisprudence, that comply with the rights that are guaranteed and enshrined in the Charter of Rights and Freedoms and the Ontario Human Rights Code.

Speaker, if street checks are being done in an arbitrary, random manner, they are being done improperly,

we will not tolerate them and we will ban them through regulations.

## WORKPLACE SAFETY

**Mr. Robert Bailey:** My question is to the Premier this morning.

Premier, your cancelled Mississauga gas plant is currently under construction in my riding of Sarnia-Lambton. Safety at this project is a subject of great concern to the local trades.

In various media reports, this site has been described as troubled, dysfunctional and a whirlwind of potential catastrophes.

**1150**

Since this site broke ground in July 2012, dozens of safety complaints have been filed with your Ministry of Labour. By their own record, the Ministry of Labour has issued over 190 compliance orders, but it wasn't until the local trades walked off the job to protest the lack of basic safety protocol by the company—that the Ministry of Labour finally took enforcement action on this site.

Premier, it's my understanding that charges were finally laid on September 11. Why did it take your ministry so long to enforce the health and safety act and lay charges against Greenfield energy?

**Hon. Kathleen O. Wynne:** Minister of Labour.

**Hon. Kevin Daniel Flynn:** Thank you to the honourable member for the question.

Ontario remains one of the safest places in this entire continent to work, and most of the companies in this province act responsibly in this manner. What matters most is safety. There is no project in this province that's worth an injury or the loss of a life.

I can tell you that our inspectors have been on-site more than 70 times on this particular site. We've issued 219 orders. Some of those have been stop-work orders. We know there are concerns on the site. We continue to work with the parties. I've actually appointed somebody; I've appointed an independent mediator to go in and work with the parties.

You have to remember, Speaker, our top priority at the Ministry of Labour is keeping people safe. Sometimes that means we have to go in and we have to work with the labour relations within certain projects, but the number one priority is to make sure that when somebody goes to work in the morning, they come home at night.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Mr. Robert Bailey:** My question back to the Premier: Over the last 50 years, labour and industry in Sarnia-Lambton have developed a culture of safety that is unparalleled across this province. The Ministry of Labour's own stats say that you are 25 times safer on a job site in Sarnia-Lambton than anywhere else in this province. The people in our community live and breathe safety. It must be the first priority on any site that's an energy-generating facility.

The leadership of our local trades and business community, who are experts in the construction of generating facilities, tell me that despite the recent intervention of the Ministry of Labour, their concerns are still there for safety at the Green Electron facility. As this facility nears completion and gets closer to going live, the risks of harm due to human error or mechanical failure are compounded.

Premier, can you guarantee our community that it is safe for their loved ones to return to work at this site? Would you feel comfortable if one of your loved ones worked at this place?

**Hon. Kevin Daniel Flynn:** Thank you again to the honourable member for the concerns he has raised. He and I will know we've had a number of conversations about this, and I thank him for his vigilance on this issue on behalf of his constituents.

It is disappointing and it is frustrating to see these issues persist at the site. I want to urge the parties to work together, to focus on what's important, to make sure that their employees are protected, that they're working in a safe environment. I've asked the ministry staff to follow this very, very closely. We've appointed an excellent mediator who knows the construction sector inside and out—Mr. John Miller.

We're going to use every enforcement tool we have to ensure that we get compliance at this plant. I'm convinced that we're able to do it.

As I said, most employers in this province do not treat projects this way. This is definitely something that's out of character for Ontario business. We aim to solve that, to make sure that people go to work and come home safely at night.

## CHILD CARE

**Ms. Andrea Horwath:** My question is for the Premier. Parents across Ontario are struggling to find affordable, quality child care, and thousands of kids are stuck on waiting lists for spots that their families can afford.

Last November, the Liberals voted in favour of my motion to work with a new federal government to deliver \$15-a-day child care to families here in Ontario and right across the country. But now the Premier is more interested in playing partisan games and attacking the only federal plan that will deliver quality, affordable child care.

Speaker, why is this Premier suddenly backing away from her commitment to working with a new federal government to deliver \$15-a-day child care for Ontario families?

**Hon. Kathleen O. Wynne:** Quite to the contrary, Mr. Speaker, I look forward to working with a new federal government on child care.

What I have said is two things: The plan that was put forward, the motion that was put forward by the NDP had no details in it, but in principle, we support the notion.

Secondly, there are no details from the federal NDP about what the plan would actually mean for Ontario.

Mr. Speaker, I can't say that I fully support \$15-a-day daycare when I don't know what that means in terms of the money Ontario has already put into child care.

But do I believe that there needs to be a federal partner who will work with us on issues, including child care? Absolutely, Mr. Speaker.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Ms. Andrea Horwath:** That's good to hear, Speaker, because that's exactly what Thomas Mulcair offered. It's too bad the Premier didn't hear it.

It's shameful, in fact, that this Premier is putting the interests of the federal Liberal Party ahead of Ontario children and families. Tom Mulcair has repeatedly said he will work with Ontario to respect the unique needs and existing programs in our province, including full-day kindergarten. But the Premier doesn't care and instead is—

*Interjections.*

**The Speaker (Hon. Dave Levac):** Stop the clock.

Better. Thank you.

Please finish.

**Ms. Andrea Horwath:** Instead, she is once again putting the interests of her political friends ahead of the people of Ontario.

After claiming to want a new federal partner, how can this Premier defend her attacks on the only federal plan to deliver \$15-a-day child care for Ontario families, that they need?

**Hon. Kathleen O. Wynne:** Because it's not a plan, Mr. Speaker; it's an idea. It's been put out as an idea. It would be irresponsible of me, after we have put billions of dollars into child care in Ontario, to support something that has no details in it, and we have no understanding of what it would mean to the people of Ontario.

We absolutely want a partner who will work with us on child care, Mr. Speaker. That has not changed and it will not change. I hope on October 20 we have a government in Ottawa that will partner with us on a number of issues. I have said that quite clearly. Child care is one of them.

But when a notion is put forward without details, and I don't have an understanding of what it would mean to the people of Ontario, it would be irresponsible of me to support it blindly. I will work with whoever is in office after October 19.

## STUDENT ACHIEVEMENT

**Ms. Ann Hoggarth:** My question is to the Minister of Education.

Minister, last week students across Ontario returned to school. We know this is an exciting time for all of them. Students entering their final year of secondary school are beginning to think and plan for what they will do beyond graduation.

Our government knows that investing in the skills and talents of our students and young people is important,



and we want to ensure that we can help students continue to achieve excellence.

Minister, can you tell us how the Ontario government is helping students make the transition from secondary to post-secondary education?

**Hon. Liz Sandals:** Thank you to the member from Barrie, who's a real advocate for children.

Our government is committed to ensuring that every student has the same opportunity to succeed, graduate from high school, and pursue their career passion. That's why we believe in investing in innovative programs like Specialist High Skills Majors, dual credits, co-operative education, and the Ontario Youth Apprenticeship Program, so we can help create the right learning environment to help all students build a promising future for themselves.

Just last week I had the privilege of visiting St. Mary's Catholic Secondary School in Davenport with the MPP from Davenport, to see their transportation specialist high skills major in action. I was pleased to share at that visit that this year, for the ninth year in a row, our government is expanding its Specialist High Skills Majors program. More than 46,000 students will be enrolled in 1,760 SHSM programs across the program.

We are also expanding our Dual Credit Program to include—

**The Speaker (Hon. Dave Levac):** Thank you. Supplementary?

**Ms. Ann Hoggarth:** Thank you to the Minister of Education for your response and for the wonderful compliment. I really appreciate that.

It's great to hear that our government is taking such important steps to ensure that all of our learners here in Ontario are getting the help they need to develop the skills and the knowledge that they need to succeed now and in the future.

While I am proud of these investments, I also understand that there is growing concern that students are struggling to make the connection between their education and training and the workplace. There still remains an uncertainty and a gap for many students leaving high school and looking to gain workplace experience.

1200

Through you, Speaker, to the Minister of Education, can the minister please inform this House of what steps the government is taking to help those students make this transition?

**Hon. Liz Sandals:** As I said before, our government is committed to ensuring that every student has the same opportunity to succeed, which is why I was so pleased to join with the Premier this morning to announce that Experience Ontario, a new program to help Ontario students plan for their future, is now up and running.

Experience Ontario is a two-year, \$20-million program, which in its first, pilot year will provide approximately 600 students across the province with valuable work experience, career coaching and mentorship. The program will encourage graduating high school students to choose the appropriate post-secondary educational path for them and will help them succeed once they enrol.

Each participant in Experience Ontario will have access to a career coach. They'll have access to three work placements. They're participating—actually, just last weekend, I was visiting a three-day—

**The Speaker (Hon. Dave Levac):** Thank you. New question.

#### LONG-TERM CARE

**Mr. Jim Wilson:** My question is to the Minister of Health and Long-Term Care. Speaker, in May I asked the government why my constituent Mr. Jim Lees, who was classified as a crisis patient by the community care access centre, has to wait several months for a long-term-care bed. In June, I asked the government again about Mr. Lees. In July, I wrote to the Premier directly. I have followed up with the minister's office and the ministry and the government each week since July, yet the government still has done nothing to help this man.

Now here we are in September, and the plight of this poor man remains the same. He is no closer to a bed in a long-term-care facility.

So I ask: Minister, when can Mr. Lees expect some help? When can Mr. Lees expect to get a bed in a long-term-care facility in this province?

**Hon. Eric Hoskins:** I appreciate the question. I know that the Associate Minister of Health has been working hard on this issue. I believe that the member opposite has had dialogue and discussion with her, including through correspondence and with his office. When it is a matter of finding or obtaining a long-term-care bed for an Ontario citizen, we work as hard as we can through our CCACs and our partners to ensure that that bed can be provided, particularly for urgent cases such as the one referenced by the member opposite.

I would be happy to follow up with the associate minister, as with yourself, to see what has transpired over the passage of time with regard to this individual. But as I mentioned, we have a minister responsible specifically for long-term care that I know has been working hard on this issue.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Mr. Jim Wilson:** Mr. Speaker, through you to the minister: Minister, you gave me that assurance three times already in this House over the last six months. It's getting to be ridiculous. I'm a former Minister of Health. If I did the job that you're doing, I'd have been fired as Minister of Health.

Mr. Lees is stuck in a retirement home. He's an urgent-care patient, a crisis patient. That's as high as you can get in all the categories your ministry has. He should be in a long-term-care facility. He has to be in a long-term-care facility. He's deteriorating in the retirement home and your ministry's doing nothing. Each time, you slough it off to your associate minister, and she does nothing. She sends me emails—and I've got 12 of them here from the last two months: "Our staff are working very hard with his family to ensure Mr. Lees gets the safe and secure placement he needs." I get that time and time

again: October 6, July 28, April 30, August 25 and on and on and on.

Do something. For God's sake, you're in charge of the system. You're the man in charge. This man needs help. He paid his taxes. He was a volunteer in our community. He's a great guy with a great family. They're going bankrupt and he's not getting the care—

**The Speaker (Hon. Dave Levac):** Thank you.

*Interjections.*

**The Speaker (Hon. Dave Levac):** Be seated, please. Be seated, please. Thank you.

Minister.

**Hon. Eric Hoskins:** Well, Mr. Speaker, when the member opposite, who I know is a former Minister of Health—he may choose to judge me, but I'm actually going to rely on the opinion of Ontarians with regard to my performance as health minister. I'm not going to be judged by the member opposite. I have to say the associate minister has been working hard on an issue which is important to her and is important to me as well.

When it comes to long-term care, we've introduced measures recently, including substantial investments to increase the number of long-term-care beds in this province, to redevelop existing ones as well, so that even more Ontarians will have access to long-term care in this province.

As I said in the first part of this question, I would be happy to address this issue with the member opposite as well as with the associate minister responsible for long-term care, so we can find a solution to this issue.

**The Speaker (Hon. Dave Levac):** There are no deferred votes, therefore this House stands recessed until 1 p.m.

*The House recessed from 1205 to 1300.*

## INTRODUCTION OF VISITORS

**Mr. Bill Walker:** He was in the gallery this morning and I believe he's returning for the afternoon. I'd like to welcome Arif Khan, city of Barrie councillor, to the Legislature.

## MEMBERS' STATEMENTS

### QUEEN ELIZABETH II

**Mrs. Julia Munro:** It is with great pride that I stand today here at Queen's Park, named after Queen Victoria, who is now the second-longest serving monarch of the Commonwealth. It is my honour to speak in celebration of a very special milestone for Queen Elizabeth II.

On Thursday, September 9, Queen Elizabeth II became the longest-serving monarch in a millennium of royal tradition. We have been the beneficiaries of a parliamentary system that recently celebrated its 800th anniversary. Our constitutional monarch is a rock of stability in changing times. I would like to extend my congratulations to the Queen and the royal family.

Over the last 63 years and seven months of her reign, the Queen has led with wisdom and grace. Not only is she the longest-serving monarch, but she also provided the most stable leadership of the Commonwealth. She is more than non-partisan; she is above partisanship.

Through 11 Canadian Prime Ministers, from Louis St. Laurent to Prime Minister Stephen Harper, from Sir Winston Churchill to Margaret Thatcher to David Cameron, the Queen has been a rock of stability.

I was delighted to be able to share in the presentations that were done in honour of the Queen in my riding, both in East Gwillimbury and in Bond Head at St. Catherine Byzantine church.

### MARGARET WOLTZ

**Mr. Taras Natyshak:** Speaker, if I could beg your indulgence, I just want to say welcome to all my colleagues in the House. It really is nice to see each and every one of you today. Speaker, it is good to see you in the chair as well, looking in good form—

**Mr. Arthur Potts:** He got a haircut.

**Mr. Taras Natyshak:**—and with a haircut.

The riding of Essex lost a wonderful woman over the summer. It is my honour to stand in this House to recognize the contributions made to my community by Margaret Woltz.

Any candidate who has run in an election in the region of Essex county over the last 40 years has done so under Margaret's careful watch. From 1975 until she passed on July 27, Margaret served as returning officer for both Elections Canada and Elections Ontario. Margaret committed herself to the democratic process in a way that very few others have. As a five-time candidate myself, my team and I grew to have the utmost respect for Margaret's professionalism and her ability to effectively manage elections and countless staff.

Margaret's contributions, however, weren't limited to elections. She sat as president on a number of boards, including the Essex Minor Baseball Association, the Essex Minor Hockey Association, the Essex Region Conservation Foundation, the Essex horticultural society, the Liberal association in Windsor-Essex county and the Essex BIA. She also served on town council and sat on the board of directors at the Woodlee Credit Union.

Margaret's life centred around two things: family and community. Margaret met her husband, Bill, and they became sweethearts at Essex high. They married in 1950, shared 65 years together and raised four children.

On behalf of my riding of Essex I want to say thank you to Bill, Richard, Dana, Becky, Brad and the grandchildren, Brandon and Spencer, for sharing Margaret with us for all of these years.

Thank you, Margaret, for everything. Just for today, the polls have now officially closed.

JOE MacDONALD

**Mr. Glenn Thibeault:** I rise today to remember and pay tribute to Greater Sudbury Police Constable Joe



MacDonald, a name that will be familiar to many of my colleagues here and that we in Sudbury will not soon forget. Joe MacDonald was 29 years old, a five-year veteran of the Sudbury police force with a young family at home, when he was murdered during a routine police stop in New Sudbury.

Constable Joe MacDonald's murder was a tragedy, and while I rise today to pay tribute to Constable MacDonald, I must also acknowledge Sergeant Rick McDonald of Sudbury—I got to know his mother this past summer—and other public safety officers throughout Ontario whose lives have been cut short in the line of duty. The death of a public safety officer in the line of duty in any community changes that community forever.

In Sudbury, and in the wake of the particularly violent murder of Constable Joe MacDonald, our community was deeply wounded, none more wounded than Joe's entire family, but especially his wife and two daughters. On that night in 1993, the family of Joe MacDonald lost a husband, father, son and brother.

As a community, I believe it is our duty to help families like Joe's wherever we can, which is why I am pleased that our government remains committed to helping the spouses and children of fallen officers through the Constable Joe MacDonald Public Safety Officers' Survivors Scholarship. While nothing can bring Constable MacDonald, Sergeant Rick McDonald, or any other fallen officer back to their loved ones, this fund is a small way to help the spouses and children of these officers achieve their educational goals.

### ASTHMA

**Mr. Jeff Yurek:** Speaker, I'd like to welcome back the students to their school year.

As we all know, asthma symptoms worsen during the month of September. I'm proud to note that this school year, Ryan's Law has been enacted to keep our students safe. Ryan's Law is a common-sense piece of legislation which allows for children who suffer from asthma to carry their puffers with them at all times. This is the first such piece of legislation in Canada.

Ryan's Law is named after Ryan Gibbons, an elementary student from Strathfordville who needlessly passed away at school after suffering from an asthma attack during his recess break.

One in five children in Ontario suffers from asthma, making it the most common chronic condition among children in our province. I am extremely delighted that school boards across the province have implemented Ryan's Law into this year's school system. As schools across our province become more asthma-friendly thanks to Ryan's Law, we hope to never see such a tragedy again like we saw with the passing of Ryan Gibbons.

I'd like to take this opportunity to thank the many people who supported Ryan's Law through the legislative process. To Ryan's mom, Sandra Gibbons, thank you for helping create a legacy for Ryan. Your strength and determination ensured that this bill succeeded. I would

also like to thank key stakeholders such as the Ontario Lung Association and the Asthma Society of Canada for all their hard work since day one.

I would also like to take this opportunity to thank everyone who sits in this Legislature who voted unanimously in support of Ryan's Law. I appreciate the support behind that because, together, we can work to make Ontario a better place.

Let's never forget Ryan's memory as we continue to work hard to make our school system a safer place for all children in Ontario.

### PUBLIC TRANSIT IN LONDON

**Ms. Peggy Sattler:** I am pleased to update this House on an exciting initiative that is galvanizing my community called Shift: Moving London Forward. Shift proposes a 22-kilometre rapid transit network that will connect major institutions in London, including the university, the college, our two hospitals and the airport.

Community surveys have identified improved transit and transportation as the number one priority for Londoners. Western and Fanshawe students, who make up about 40% of London's bus ridership, have been advocating strongly for improvements. As an MPP, I've heard too many stories of unemployed Londoners who can't accept work in the industrial parks because those jobs are not accessible by transit.

London's current transit ridership per capita far exceeds that of many comparable municipalities such as Hamilton, Mississauga and Waterloo, yet unlike these peer cities, which have secured significant provincial investments in bus rapid transit or light rail, London continues to rely on a bus system that is bursting at the seams.

Londoners do not accept that investment in public transit is an either-or proposition, that we must choose between public transit and keeping our electricity system public. Londoners expect both. We expect our vital public assets to be protected, but we also expect transit to be funded.

London is ready. Council has committed \$4 million to conduct an environmental assessment that is currently under way. What we need now is for the province to come to the table.

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### FLORA MacDONALD

**Ms. Sophie Kiwala:** On July 26 of this year, at the age of 89, our country lost a great political leader. Flora MacDonald left behind a strong and inspiring legacy for our country, for female leadership and for the true meaning of public service.

As the first female federal representative for my riding of Kingston and the Islands, Ms. MacDonald was a trailblazer, always striving to serve the best interests of her community. Flora, as she was affectionately called by all, set up Canada's second constituency office in 1973.

She became our nation's first female foreign minister and proved her diplomacy, skilful negotiation and compassion in international affairs.

Ms. MacDonald was a true politician for the people and of the people. She was accessible, personable and always ready to engage with her community.

In my seven years at the federal constituency office, there were so many occasions when people from the riding and beyond contacted my office to try to connect with Flora. That in itself is a wonderful demonstration of the affection our community has for this inspirational leader and for the many lives she touched.

Mr. Speaker, I am so honoured today to have the opportunity to pay this small tribute to this amazing woman. May she rest in deserved peace.

Thank you, Meegwetich.

### REX CRAWFORD

**Mr. Monte McNaughton:** I'm pleased to rise to recognize Mr. Rex Crawford, a former Liberal MP for Kent, for his significant contributions to his community and to the nation.

Rex is prolific in his desire to serve and volunteer. Some of his many roles include work with the Junior Chamber of Commerce and the Rotary Club, being vice-president of the farmers' union, director of the Chatham children's treatment centre, Sydenham District Hospital board, the Chatham general hospital board, and ARC Industries in Wallaceburg.

As an environmentally conscious farmer, Rex has served on the board of the Lower Thames conservation authority, and he continues on the board of the St. Clair Region Conservation Authority trust.

In Dover township, beginning in 1977, he was councillor, deputy reeve and reeve, working hard to maintain the agricultural integrity of some of the finest and most productive land in the country.

In 1987, he was elected warden of Kent county. The following year he was elected to the House of Commons as member of Parliament for Kent, and was re-elected in 1993. Rex was largely responsible for bringing the ethanol plant to Chatham-Kent. As MP, Rex was the voice of his constituents, and he was never afraid to challenge a position of his party if it was contrary to the interests of the people of Kent. For this, he is respected and admired by all who know him.

I continue to appreciate his advice, support and friendship.

### TOYOTA

**Mrs. Kathryn McGarry:** Yesterday afternoon, I was pleased to attend the fourth annual United Way car show at the Toyota manufacturing plant in my community of Cambridge. There was a great turnout of people from Cambridge and neighbouring communities strolling through the rows of gleaming cars, enjoying the food and music, and contributing to a great cause. Events like this

are just one of many examples of how Toyota partners with local groups and remains a staple of my community of Cambridge.

On July 31, I was pleased to visit this award-winning plant, along with CEO Brian Krinock, where the Minister of Economic Development, Employment and Infrastructure, Brad Duguid, announced that the Ontario government would be investing \$42.1 million to secure over 8,000 current jobs and create new ones in Toyota's Ontario manufacturing operations. It was a great news day.

Along with an investment of \$421 million from Toyota, this funding will support equipment and technology upgrades that will prepare the Cambridge Toyota facility to produce the next generation of Lexus vehicles. For the first time outside Japan, Toyota's specialized welding technology will be used.

This announcement is great news for the thousands of families across the Waterloo region that depend on the auto industry for their livelihood. Toyota is a major employer and driver of our regional economy, and I'm very, very proud that our government is at the table to help keep the sector competitive in the face of fierce global competition.

### UKRAINIAN CANADIAN COMMUNITY

**Mr. Yvan Baker:** I rise in honour of Ukrainian Heritage Day today, Mr. Speaker. The first Ukrainian immigrants to Canada, Vasyl Eleniak and Ivan Pylypiw, arrived in Canada on September 7, 1891. Since then, the Ukrainian Canadian population in Ontario has grown to more than 340,000 people. Ontarians of Ukrainian descent, along with so many other communities and backgrounds, have a rich heritage and have contributed to making Canada the great country that it is today.

Many Ukrainians fled their homeland to find freedom from oppression and a better life. They found that life here in Canada. My grandfather was one of those people. He and so many others in the community will always be grateful to Ontario and to our country. As proud as he was of his Ukrainian heritage, my grandfather was one of the proudest Canadians I have ever known.

As a result of these reasons, the province in 2011 unanimously passed a bill proclaiming Ukrainian Heritage Day on September 7 every year. I was honoured to have worked with members on all sides of this Legislature on this bill. Later today, we shall be commemorating heritage day with a flag-raising ceremony at 4 o'clock, and I invite all members of the House to attend.

This government has worked closely with Ontario's Ukrainian Canadian community. The Premier was in Etobicoke Centre to commemorate Ukrainian Independence Day last month. She will also be attending the Bloor West Village Toronto Ukrainian Festival this weekend. I encourage all members here to join us. It's a wonderful, wonderful weekend.

The Premier and Minister Sandals, for example, worked to ensure that the internment and the Holodomor



would be included in Ontario's curriculum. They ensured that funding would be provided for a new mobile classroom that will travel Ontario to educate students about the Holodomor. And the Premier has repeatedly called for an independent and territorially sovereign Ukraine and has proudly sent humanitarian aid to Ukraine in these difficult times.

As an MPP and a member of the community, I am proud of my Ukrainian heritage, proud of the work that the Premier and the government have done with the community, and proud of the contributions that the community has made to our province and our country.

#### TABLING OF SESSIONAL PAPERS

**The Speaker (Hon. Dave Levac):** I beg to inform the House that during the adjournment, the following reports were tabled:

On June 26, 2015, a report concerning Jagmeet Singh, the member from Bramalea–Gore–Malton, from the Integrity Commissioner;

On July 7, 2015, the 2015 annual greenhouse gas progress report from the Environmental Commissioner;

On July 28, 2015, the 2014-15 annual report from the Ombudsman;

On July 31, 2015, the 2014-15 annual report from the Financial Accountability Officer.

#### REPORTS BY COMMITTEES

##### STANDING COMMITTEE ON GOVERNMENT AGENCIES

**The Speaker (Hon. Dave Levac):** I also beg to inform the House that during the adjournment, the Clerks received the reports on intended appointments dated September 1, 2015, and September 2, 2015, of the Standing Committee on Government Agencies.

Pursuant to standing order 108(f)9, these reports are deemed to be adopted by the House.

*Reports deemed adopted.*

##### SELECT COMMITTEE ON SEXUAL VIOLENCE AND HARASSMENT

**Ms. Daiene Vernile:** Pursuant to the order of the House of March 23, 2015, I beg leave to present the interim report from the Select Committee on Sexual Violence and Harassment and move its adoption.

**The Speaker (Hon. Dave Levac):** Does the member wish to make a brief statement?

**Ms. Daiene Vernile:** I move adjournment of the debate.

**The Speaker (Hon. Dave Levac):** That's as brief as you can get.

Ms. Vernile moves adjournment of the debate. Is it the pleasure of the House that the motion carry? Carried.

*Debate adjourned.*

#### INTRODUCTION OF BILLS

##### PROVINCIAL ADVOCATE FOR CHILDREN AND YOUTH AMENDMENT ACT, 2015

##### LOI DE 2015 MODIFIANT LA LOI SUR L'INTERVENANT PROVINCIAL EN FAVEUR DES ENFANTS ET DES JEUNES

Miss Taylor moved first reading of the following bill:

Bill 117, An Act to amend the Provincial Advocate for Children and Youth Act, 2007 with respect to notices of critical injury or death / *Projet de loi 117, Loi modifiant la Loi de 2007 sur l'intervenant provincial en faveur des enfants et des jeunes en ce qui concerne les avis de décès ou de blessures graves.*

**The Speaker (Hon. Dave Levac):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Speaker (Hon. Dave Levac):** The member for a short statement.

**Miss Monique Taylor:** The bill amends the Provincial Advocate for Children and Youth Act, 2007, to include an obligation on agencies and service providers to inform the Provincial Advocate for Children and Youth promptly if they become aware of the death or critical injury of a child or youth, and a children's aid society has been involved with the child or youth, or with the child or youth's family, within 12 months of death or critical injury.

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##### ZARA H.S.L.C.C INC. ACT, 2015

Mr. Takhar moved first reading of the following bill:

Bill Pr25, An Act to revive Zara H.S.L.C.C Inc.

**The Speaker (Hon. Dave Levac):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Speaker (Hon. Dave Levac):** Pursuant to standing order 86, this bill stands referred to the Standing Committee on Regulations and Private Bills.

##### 422504 ONTARIO LTD. ACT, 2015

Mme Gélinas moved first reading of the following bill:

Bill Pr23, An Act to revive 422504 Ontario Ltd.

**The Speaker (Hon. Dave Levac):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Speaker (Hon. Dave Levac):** Pursuant to standing order 86, this bill stands referred to the Standing Committee on Regulations and Private Bills.

## MOTIONS

### ORDER OF BUSINESS

**Hon. Yasir Naqvi:** I believe we have unanimous consent to put forward a motion without notice with respect to the Standing Committee on Estimates, and that the Speaker shall put every question necessary to dispose of this motion without further debate or amendment.

**The Speaker (Hon. Dave Levac):** The government House leader is seeking unanimous consent to put forward a motion without notice. Do we agree? Agreed.

**Hon. Yasir Naqvi:** I move that the Standing Committee on Estimates shall not meet until Wednesday, September 23, 2015, at which time the committee shall meet for the purpose of organization and to select the estimates of ministries and offices for consideration; and

That, notwithstanding standing order 63, the committee shall present one report to the House on November 26, 2015, with respect to all estimates and supplementary estimates considered pursuant to standing orders 60 and 62; and

That, in the event that the committee fails to report the said estimates on November 26, 2015, the estimates and supplementaries shall be deemed to be passed by the committee and be deemed to be reported to and received by the House.

**The Speaker (Hon. Dave Levac):** The government House leader moves that the Standing Committee on Estimates shall not meet until—

**Hon. Yasir Naqvi:** Dispense.

**The Speaker (Hon. Dave Levac):** Dispense? Dispensed. Do we agree? Carried.

*Motion agreed to.*

### COMMITTEE MEMBERSHIP

**Hon. Yasir Naqvi:** Speaker, I believe that you will find that we have unanimous consent to put forward a motion without notice regarding the membership of standing committees.

**The Speaker (Hon. Dave Levac):** The government House leader is seeking unanimous consent to put forward a motion. Do we agree? Agreed.

**Hon. Yasir Naqvi:** I move that the following changes be made to the membership of the following committees:

That on the Standing Committee on Estimates, Mr. Hillier be replaced by Mr. Smith;

That on the Standing Committee on Finance and Economic Affairs, Mr. McNaughton be replaced by Mr. Barrett;

That on the Standing Committee on General Government, Mr. Yurek be replaced by Mr. McDonell;

That on the Standing Committee on Government Agencies, Mr. McDonell be replaced by Mr. Bailey;

That on the Standing Committee on Justice Policy, Mr. MacLaren be replaced by Mr. Hillier, and Mr. Smith be replaced by Ms. Scott;

That on the Standing Committee on the Legislative Assembly, Mr. Barrett be replaced by Mr. McNaughton, Ms. Scott be replaced by Mr. MacLaren, and Mr. Dunlop be replaced by Mr. Clark;

That on the Standing Committee on Regulations and Private Bills, Mr. Bailey be replaced by Mr. Yurek; and

That on the Standing Committee on Social Policy, Madame Lalonde be replaced by Mr. Thibeault, and Ms. Elliott be replaced by Mr. Miller, Parry Sound—Muskoka.

**The Speaker (Hon. Dave Levac):** The government House leader moves that the following changes be made to the membership of the following committees—

**Mr. Gilles Bisson:** Dispense.

**The Speaker (Hon. Dave Levac):** Dispense? Agreed. Do we agree? Carried.

*Motion agreed to.*

### PRIVATE MEMBERS' PUBLIC BUSINESS

**Hon. Yasir Naqvi:** Speaker, I believe you will find that we have unanimous consent to put forward a motion without notice regarding private members' public business.

**The Speaker (Hon. Dave Levac):** The government House leader is seeking unanimous consent to put forward a motion without notice. Do we agree? Agreed.

**Hon. Yasir Naqvi:** I move that notwithstanding standing order 98(g), notice for ballot item number 64 be waived.

**The Speaker (Hon. Dave Levac):** The government House leader moves that notwithstanding standing order 98(g)—I was waiting for the “Dispense,” but there was only one sentence—notice of ballot item number 64 be waived. Do we agree? Agreed. Carried.

*Motion agreed to.*

### APPOINTMENT OF ENVIRONMENTAL COMMISSIONER

**Hon. Yasir Naqvi:** Speaker, I believe you will find that we have unanimous consent to put forward a motion without notice with respect to the Environmental Commissioner and that the question on the motion be put immediately, without debate or amendment.

**The Speaker (Hon. Dave Levac):** The government House leader is seeking unanimous consent to put forward a motion without notice. Do we agree? Agreed.

**Hon. Yasir Naqvi:** I move that an humble address be presented to the Lieutenant Governor in Council as follows:

“To the Lieutenant Governor in Council:

“We, Her Majesty’s most dutiful and loyal subjects, the Legislative Assembly of Ontario now assembled, request the appointment of Dianne Saxe as Environmental Commissioner for the province of Ontario, as provided in section 49 of the Environmental Bill of Rights, to hold office under the terms and conditions of the said act, commencing December 1, 2015.”



And that the address be engrossed and presented to the Lieutenant Governor in Council by the Speaker.

**The Speaker (Hon. Dave Levac):** The government House leader is moving that an humble address—

**Mr. Gilles Bisson:** Dispense.

**The Speaker (Hon. Dave Levac):** Dispense? Dispense. Do we agree? Carried.

*Motion agreed to.*

**Hon. Yasir Naqvi:** Speaker, I believe you will find that we have unanimous consent to put forward a motion without notice with respect to the Ombudsman, and that the question—

**Mr. Gilles Bisson:** No.

**Hon. Yasir Naqvi:** —on the motion be put immediately, without debate or amendment.

**Mr. Gilles Bisson:** No.

*Interjections.*

**The Speaker (Hon. Dave Levac):** The government House leader is seeking unanimous consent to put forward a motion without notice. Do we agree?

**Mr. Gilles Bisson:** No.

**The Speaker (Hon. Dave Levac):** I heard a no—after several times, but I have to finish my job first so that you can feel comfortable—

**Mr. Gilles Bisson:** I wanted to make sure you don't forget.

**The Speaker (Hon. Dave Levac):** And I'm sure that I'm sure you'll sure be sure that I'm sure.

## PETITIONS

### CONCUSSION

**The Speaker (Hon. Dave Levac):** It is now time for petitions. The member from—

**Ms. Lisa MacLeod:** You're so used to saying it.

**The Speaker (Hon. Dave Levac):** —Nepean—Carleton.

**Ms. Lisa MacLeod:** You're an expert, Speaker, at my riding.

“To the Legislative Assembly of Ontario:

“Whereas the rate of concussions among children and youth has increased significantly from 2003 to 2011, from 466 to 754 per 100,000 for boys, and from 208 to 440 per 100,000 for girls; and

“Whereas hard falls and the use of force, often found in full-contact sports ... have been found to be the cause of over half of all hospital visits for pediatric concussions; and

“Whereas the signs and symptoms of concussions can be difficult to identify unless coaches, mentors, youth and parents have been educated to recognize them; and

“Whereas preventative measures, such as rules around return-to-play for young athletes who have suspected concussions, as well as preventative education and awareness have been found to significantly decrease the danger of serious or fatal injuries; and

“Whereas Bill 39, An Act to amend the Education Act with respect to concussions, was introduced in 2012 but never passed; and

“Whereas 49 recommendations to increase awareness, training and education around concussions were made by a jury after the coroner's inquest into the concussion death of Rowan Stringer;

“Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the Ontario government review and adopt Rowan's Law to ensure the safety and health of children and young athletes across the province.”

I attended the petition launch with the member from Ottawa South and the family of Rowan Stringer on Saturday, and I proudly affix my signature to this petition and pass it to page Siena.

### PRIVATIZATION OF PUBLIC ASSETS

**M<sup>me</sup> France Gélinas:** I have this petition that was collected by Trudy Funnell, Robert Porter, David Newman and Joseph St. Denis in beautiful Biscotasing in my riding. For all of you, Google up Biscotasing. You will find it's a thriving metropolis in the north of Nickel Belt.

It's called “Privatizing Hydro One: Another wrong choice.

“Whereas once you privatize Hydro One, there's no return; and

“Whereas we'll lose billions in reliable annual revenues for schools and hospitals” and infrastructure; “and

“Whereas we'll lose our biggest economic asset and control over our energy future; and

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“Whereas we'll pay higher and higher hydro bills just like what's happened elsewhere;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“To stop the sale of Hydro One and make sure Ontario families benefit from owning Hydro One now and for generations to come.”

I fully support this petition, will affix my name to it and ask page Laura to bring it to the Clerk.

### LUNG HEALTH

**Mr. Peter Z. Milczyn:** “To the Legislative Assembly of Ontario:

“Whereas lung disease affects more than 2.4 million people in the province of Ontario, more than 570,000 of whom are children. Of the four chronic diseases responsible for 79% of deaths (cancers, cardiovascular diseases, lung disease and diabetes), lung disease is the only one without a dedicated province-wide strategy;

“In the Ontario Lung Association report *Your Lungs, Your Life*, it is estimated that lung disease currently costs the Ontario taxpayers more than \$4 billion a year in direct and indirect health care costs, and this figure is

estimated to rise to more than \$80 billion seven short years from now;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To allow for deputations on MPP Kathryn McGarry's private member's bill, Bill 41, the Lung Health Act, 2014, which establishes a Lung Health Advisory Council to make recommendations to the Minister of Health and Long-Term Care on lung health issues and requires the minister to develop and implement an Ontario Lung Health Action Plan with respect to research, prevention, diagnosis and treatment of lung disease; and

"Once debated at committee, to expedite Bill 41, Lung Health Act, 2014, through the committee stage and back to the Legislature for third and final reading; and to immediately call for a vote on Bill 41 and to seek royal assent immediately upon its passage."

I support this petition and affix my signature to it.

### HOSPICE FUNDING

**Mr. Jim Wilson:** "To the Legislative Assembly of Ontario:

"Whereas there is a discrepancy between how hospices are funded in Ontario; and

"Whereas Matthews House Hospice is the lowest-funded hospice in the Central Local Health Integration Network ... and among the lowest-funded in the province, even though it serves as many clients or more than other hospices that receive greater provincial support; and

"Whereas Matthews House has been told by the Central LHIN that LHINs do not fund residential hospice operational costs and yet hospices in other LHINs, including Barrie, Huntsville, Richmond Hill, Owen Sound and now Collingwood, all receive operational funding from the province; and

"Whereas in February 2010 Matthews House Hospice was promised a solution to its underfunding by the Central LHIN which has never materialized;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Wynne government immediately develop a comprehensive strategy to deal with hospice funding to ensure that people in south Simcoe and all Ontarians receive equal access to end-of-life care."

I agree with this petition and I will sign it.

### LONG-TERM CARE

**Ms. Peggy Sattler:** I have a petition that was requested of me by the residents of Westmount Gardens Long-Term Care in my riding of London West, and it reads as follows:

"To the Legislative Assembly of Ontario: Stop the Eviction of Long-Term-Care Residents.

"Whereas every resident of a long-term-care home has the right to be treated with respect and dignity; and

"Whereas section 1 of the Long-Term Care Homes Act, 2007, identifies as its "fundamental principle" that

"a long-term-care home is primarily the home of its residents"; and

"Whereas regulation 79 under the act conflicts with this fundamental principle because it states that long-term-care residents can lose their home after 30 days in hospital and must then reapply and join wait-lists for available long-term-care spaces; and

"Whereas the risk of losing their home can create emotional distress and trauma for long-term-care residents who are temporarily hospitalized;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care change regulation 79 to ensure that residents of long-term care do not lose their home after a 30-day or longer stay in hospital."

I fully support this petition, affix my name to it and give it to page Laura to take to the table.

### CONCUSSION

**Mr. John Fraser:** "To the Legislative Assembly of Ontario:

"Whereas the rate of concussions among children and youth has increased significantly from 2003 to 2011, from 466 to 754 per 100,000 for boys, and from 208 to 440 per 100,000 for girls; and

"Whereas hard falls and the use of force, often found in full-contact sports such as hockey and rugby, have been found to be the cause of over half of all hospital visits for pediatric concussions; and

"Whereas the signs and the symptoms of concussions can be difficult to identify unless coaches, mentors, youth and parents have been educated to recognize them; and

"Whereas preventative measures, such as rules around return-to-play for young athletes who have suspected concussions, as well as preventative education and awareness have been found to significantly decrease the danger of serious or fatal injuries; and

"Whereas Bill 39, An Act to amend the Education Act with respect to concussions, was introduced in 2012 but never passed; and

"Whereas 49 recommendations to increase awareness, training and education around concussions were made by a jury after the coroner's inquest into the concussion death of Rowan Stringer;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ontario government review and adopt Rowan's Law to ensure the safety and health of children and young athletes across the province."

Thank you, Mr. Speaker. I'm affixing my signature and giving it to page Grace.

### WINTER ROAD MAINTENANCE

**Mr. Norm Miller:** Thank you, Mr. Speaker. I have a number from Gravenhurst and Bracebridge with regard to winter road maintenance, as winter is just around the corner.



"To the Legislative Assembly of Ontario:

"Whereas the area maintenance contract system has failed Ontario drivers the past two winters;

"Whereas unsafe conditions led to the maintenance contractor being fined in the winter of 2013-14, as well as leading to a special investigation by the provincial Auditor General;

"Whereas the managed outsourcing system for winter roads maintenance, where the private contractor is responsible for maintenance, but MTO patrols the region and directs the contractor on the deployment of vehicles, sand and salt, has a proven track record for removing snow and ensuring that Ontario's highways are safe for travellers;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ontario Ministry of Transportation take immediate action to improve the maintenance of winter roads based on the positive benefits of the previous delivery model, where MTO plays more of a role in directing the private contractor."

Mr. Speaker, I support this petition and have signed it and will give it to Jaleelah.

#### PRIVATIZATION OF PUBLIC ASSETS

**Ms. Jennifer K. French:** I am pleased to have the opportunity today to rise and share the voices of friends and neighbours in my area; for example, Ron Svajlenko and James Booth, Nester Pidwerbecki, Daniel Goheen. All would like me to share this petition to the Legislative Assembly of Ontario.

"Privatizing Hydro One: Another wrong choice.

"Whereas once you privatize hydro, there's no return; and

"We'll lose billions in reliable annual revenues for schools and hospitals; and

"We'll lose our biggest economic asset and control over our energy future; and

"We'll pay higher and higher hydro bills just like what's happened elsewhere;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To stop the sale of Hydro One and make sure Ontario families benefit from owning Hydro One now and for generations to come."

Mr. Speaker, I wholeheartedly support this petition, affix my name to it and send it with page Alexander.

#### ACCESS TO JUSTICE

**Mr. Arthur Potts:** I also have a petition to the Legislative Assembly of Ontario:

"Whereas personal injury lawyers often charge contingency fees of up to 45% of a settlement;

"Whereas it is in the public interest for reasons of transparency, consumer protection and public accountability that the Ontario superintendent of insurance be authorized to collect from personal injury lawyers and paralegals representing claimants on tort and accident

benefits claims, information on case-specific fee arrangements, costs, disbursements and referral fees to determine the impact of such fee arrangements on the cost of auto insurance in Ontario; and

"Whereas consumers do not" often "understand how these fees are calculated;

"Whereas the high costs of hiring a lawyer are preventing Ontarians from accessing justice;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government introduce legislation to cap the maximum rates that personal injury lawyers charge injured motorists;

"That personal injury lawyers be required to submit to the superintendent of insurance information on fees, disbursements and referral arrangements;

"That the superintendent publicly publish an annual report on the information collected;

"That the superintendent" also "develop a consumer-friendly fee disclosure statement that must be used by personal injury lawyers."

I support this petition and sign my name to it.

#### ROAD SAFETY

**Mr. Victor Fedeli:** "To the Legislative Assembly of Ontario:

"Whereas the Ministry of Transportation" is planning "a roundabout at Corbeil Corners, Highway 17 and 94; and

"Whereas traffic lights are put at Highway 17 and 94;

"Whereas R.J. Spudz remain at its current location—known as 6 Highway 94;

"We, the undersigned," seek that R.J. Spudz remain at its current location, known as 6 Highway 94, also known as Corbeil Corners.

Further, it also seeks that the Ministry of Transportation rethink their decision of putting in a roundabout.

I agree with this petition and sign my name to it.

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#### GASOLINE PRICES

**Mr. John Vanthof:** I've got a petition here from the good folks in northern Ontario.

"To the Legislative Assembly of Ontario:

"Whereas northern Ontario motorists continue to be subject to wild fluctuations in the price of gasoline; and

"Whereas the province could eliminate opportunistic price-gouging and deliver fair, stable and predictable fuel prices; and

"Whereas five provinces and many US states already have some sort of gas price regulation; and

"Whereas jurisdictions with gas price regulation have seen an end to wild price fluctuations, a shrinking of price discrepancies between urban and rural communities and lower annualized gas prices;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Mandate the Ontario Energy Board to monitor the price of gasoline across Ontario in order to reduce price volatility and unfair regional price differences while encouraging competition."

I wholeheartedly agree, sign my signature and send it down with page Alexander.

### CHILD CUSTODY

**Mrs. Marie-France Lalonde:** "To the Legislative Assembly of Ontario:

"We petition to provide in the province of Ontario for grandchildren to have access to grandparents, when access is denied by the grandchild's parents;

"Whereas parental estrangement/grandparent alienation is becoming an increasing and alarming social trend;

"Whereas parental estrangement/grandparent alienation has been termed child abuse, elder abuse and adult bullying by experts in the field;

"Whereas loss of grandchild/grandparent relationship can have a long-term adverse impact on the well-being of both grandparents and grandchildren, thus contributing to the health of the wider community;

"Whereas grandparents are instrumental in being family historians, teachers, companions and babysitters. They offer unconditional love to a grandchild and can be a positive contributor to mental health. In addition, grandparents often provide financial support for grandchildren's education, extracurricular activities, and a host of additional items as the grandchild grows up;

"Whereas the grandchild gives joy, love, fun, energy, and brings new beginnings to a grandparent;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To create a bill that will facilitate relationships between grandparents and grandchildren who have been denied contact with each other by the grandchildren's parents. This bill shall be all-inclusive to grandparents, whether there had been a previous relationship or not."

I feel very comfortable signing this petition.

**The Acting Speaker (Mr. Ted Arnott):** Unfortunately, that concludes the time we have available for petitions this afternoon, but there's always tomorrow.

### ORDERS OF THE DAY

#### PROTECTION OF PUBLIC PARTICIPATION ACT, 2015

#### LOI DE 2015 SUR LA PROTECTION DU DROIT À LA PARTICIPATION AUX AFFAIRES PUBLIQUES

Resuming the debate adjourned on March 23, 2015, on the motion for second reading of the following bill:

Bill 52, An Act to amend the Courts of Justice Act, the Libel and Slander Act and the Statutory Powers Procedure Act in order to protect expression on matters of public interest / Projet de loi 52, Loi modifiant la Loi

sur les tribunaux judiciaires, la Loi sur la diffamation et la Loi sur l'exercice des compétences légales afin de protéger l'expression sur les affaires d'intérêt public.

**The Acting Speaker (Mr. Ted Arnott):** Pursuant to the order of the House dated June 2, 2015, I am now required to put the question.

Madame Meilleur has moved second reading of Bill 52, An Act to amend the Courts of Justice Act, the Libel and Slander Act and the Statutory Powers Procedure Act in order to protect expression on matters of public interest. Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*Interjection.*

**The Acting Speaker (Mr. Ted Arnott):** I have received a request for deferral of this vote from the chief government whip. Pursuant to standing order 28(h), this vote will be deferred until tomorrow during the time of deferred votes.

*Second reading vote deferred.*

#### INVASIVE SPECIES ACT, 2015

#### LOI DE 2015 SUR LES ESPÈCES ENVAHISSANTES

Resuming the debate adjourned on May 12, 2015, on the motion for second reading of the following bill:

Bill 37, An Act respecting Invasive Species / Projet de loi 37, Loi concernant les espèces envahissantes.

**The Acting Speaker (Mr. Ted Arnott):** Pursuant to the order of the House dated June 2, 2015, I am now required to put the question.

Mr. Mauro has moved second reading of Bill 37, An Act respecting Invasive Species. Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*Interjection.*

**The Acting Speaker (Mr. Ted Arnott):** I have received a deferral notice from the chief government whip asking that the vote be deferred until tomorrow during the time of deferred votes.

*Second reading vote deferred.*

#### SMART GROWTH FOR OUR COMMUNITIES ACT, 2015

#### LOI DE 2015 POUR UNE CROISSANCE INTELLIGENTE DE NOS COLLECTIVITÉS

Resuming the debate adjourned on June 4, 2015, on the motion for second reading of the following bill:



Bill 73, An Act to amend the Development Charges Act, 1997 and the Planning Act / Projet de loi 73, Loi modifiant la Loi de 1997 sur les redevances d'aménagement et la Loi sur l'aménagement du territoire.

**The Acting Speaker (Mr. Ted Arnott):** When we last debated this bill, the member for Kitchener–Conestoga had presented his remarks, and I would now look to him.

We're going to have questions and comments with respect to the member from Kitchener–Conestoga's presentation. Questions and comments.

**Ms. Peggy Sattler:** I want to thank the member from Kitchener–Conestoga for his contribution to the debate on this act.

Certainly the member from Kitchener–Conestoga knows something about the need for real reform of the OMB, given his experience in Waterloo region with the appeal to the OMB of Waterloo region's official plan and what that meant to the democratic process, to citizen participation in planning decisions, to the official plan that was ratified by council, that was embraced by the community, that was in fact approved by the province, because it aligned nicely with Places to Grow—and yet an undemocratic, unelected planning tribunal, the OMB, had the power to overturn that official plan. Certainly that is an issue that is of considerable concern to my colleagues and I in the New Democratic caucus because it is not addressed in this legislation.

We see this legislation tinker around the edges of the OMB. It addresses in a word here or there some of the aspects of the OMB operations, but it does not do anything to put a check on that unbridled power of the OMB that has resulted in the kinds of decisions that we saw in the member's community of Waterloo region.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments. The member for Northumberland–Quinte West.

**Mr. Lou Rinaldi:** Thank you, Speaker. It's good to be back and good to see you in the chair again.

It's been a while since we began debate on Bill 73, Smart Growth for Our Communities Act, 2015. I had the opportunity to speak at the time when we first started, but here's just a couple of things to refresh our minds about what this particular piece of legislation, if passed, will do.

Bill 73, the Smart Growth for Our Communities Act, proposes changes to both the Planning Act and the Development Charges Act. The bill, if passed, will ensure that development charges in land use planning and appeal systems are more predictable, transparent and cost-effective, and better meet the needs of stakeholders and communities.

Amendments to the Planning Act focus on enhancing citizen engagement, achieving more predictability, supporting municipal leadership and protecting long-term public interest.

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Amendments to the Development Charges Act, 1997, focus on providing the ability for municipalities to raise

revenues for key growth-related infrastructure—for example, transit—and enhance accountability and transparency regarding the collection or spending of the development charges reserve funds.

The feedback from public consultation conducted from October 2013 to January 2014 informed the proposed changes to the Development Charges Act, 1997, and to the Planning Act.

Speaker, I just want to highlight one other piece of this piece of legislation: the review of the official plans. We're trying, if the legislation is passed, to move from a five-year period to a 10-year period, making it way less cumbersome for municipalities and also to give some stability to those community planning groups.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Jim McDonell:** It's always good to comment on a message from the member from Kitchener–Conestoga as he talks about the Planning Act and some of the issues around that.

In my former life as a mayor, the OMB was often tested, sometimes as a delay tactic and sometimes for real concern to the public. I think having the OMB there provides a necessary service. It allows the public the opportunity to bring their concerns and to be heard at a level that's away from the council and maybe sometimes away from some of the political maneuvering that can happen.

The OMB has provided a very important service over the years. I think we have to do some work, though, to make sure that the delays that are experienced are shortened down. It shouldn't be there just as a tool to delay developers coming along. Really, it's a tool that should be there to make sure the procedures are followed, that it is in the best interest of the municipality and that it follows the official plan.

A lot of work is put into the official plan. That's why changes should be put in up front, so that the community gets involved and there's lots of time for consultation. That's really where a community should come together to decide where they want development, where they want the recreational facilities and so forth. The OMB, in the course, should be there to measure plans against the original official plan of the municipality.

I'm certainly looking forward to amendments on this bill. I think it's a bill that needs some work before we can see it go through and really look after the needs of the province.

**The Acting Speaker (Mr. Ted Arnott):** We have time for one last question or comment.

**M<sup>me</sup> France Gélinas:** It was a while ago that the member for Kitchener–Conestoga made his remarks, so I really have to search my memory, but he was talking about Bill 73, which amends the Development Charges Act, 1997, as well as the Planning Act.

From what I can remember there were some good little steps being taken within this bill, but there are also some big gaps in the Planning Act and a lot of people have come forward to say, "The Planning Act needs to be

changed and here's the list of changes that need to be done." But none of those are found in that current bill.

The member was sort of positive toward the bill, because what it does is not harmful. But what it doesn't do, which is really almost sinful—that is, it takes a lot of time, effort and energy to get a bill through the House and to get it enacted. That's fine; that's the way legislation should work. But there is a price to pay for opportunity lost and this is what we have with this bill. We have an opportunity to not only amend the Development Charges Act, but we also have an opportunity to amend the Planning Act.

When you look at the need for social housing, when you look at the need for inclusionary zoning, when you look at some of the bills that have been put forward that bring changes to the Planning Act and that have been supported by every side of this House—but yet, here's a government bill and it is completely silent on the biggest issues that the Planning Act is facing right now. So it's good of him to put that in for debate.

**The Acting Speaker (Mr. Ted Arnott):** That concludes our time for questions and comments.

I return to the member for Kitchener-Conestoga for his reply.

**Mr. Michael Harris:** Thank you, Speaker. It's a pleasure to be back after a brief recess this summer. I hope everyone did enjoy the recess with their families. But of course, we're back.

Speaker, one thing I have heard commonly in my community, within the region of Waterloo, is that the cost of home ownership is continuing to rise to the point where young families simply can no longer afford to raise their family in a neighbourhood where they have good schools. I spoke to developers and home builders, and the DC charges of 10, 20 years ago are skyrocketing today from those of many years back, I suppose.

This bill cannot result in a further piling of taxes on the backs of future new home purchasers and employers.

I know that the member for Etobicoke-Lakeshore just recently joined us, and I think he did an extremely great job articulating this during the debate on development charges back on June 23, 2013, when he was a Toronto councillor and the chair of the city's planning and growth management committee. He goes on to say, "What many people assume is the developers pay. Well, the reality is purchasers pay."

The government of Ontario has a responsibility to ensure that the provincial policy statement and provincial plans are not undermined by taxation and financial burdens. Transit-oriented communities should be the most affordable and attractive communities for Ontario's future residents and employers.

Speaker, I wholeheartedly agree with the comments that the member for Etobicoke-Lakeshore made.

Again, it goes to the point that families are finding it ever difficult to become homeowners. They don't want to rent. They want to own a home, to invest in their family. Bill 73 would allow some substantial additions to development charges, making it further impossible for families to become homeowners.

**The Acting Speaker (Mr. Ted Arnott):** Further debate?

**Ms. Peggy Sattler:** On this first day back in the Legislature, Speaker, after a wonderful summer that I think all of us spent listening to constituents, it's a real privilege for me, as MPP for London West, to join the debate on this important piece of legislation.

As I prepare to offer my comments on the bill, I'm struck once again by the responsibility each of us bears as an MPP—the responsibility and the privilege—to be the voice for the thousands of people we represent in our ridings. I know that is a task we all take very seriously, and I am honoured to add the perspective of the people I represent in London West to this second reading debate on Bill 73, An Act to amend the Development Charges Act, 1997 and the Planning Act. Bill 73 is also known as the Smart Growth for Our Communities Act.

During my remarks, I'm going to be reinforcing some of the points that were made by my colleague the member for Windsor-Tecumseh when he spoke to the bill in his capacity as NDP critic for municipal affairs and housing. He gave that one-hour speech just before the Legislature rose for the summer.

Over the course of that speech, he spent a fair bit of time focusing on two issues that are of particular concern to those of us on this side of the House who are members of the NDP caucus. Those issues specifically are inclusionary zoning and Ontario Municipal Board reform.

As I have stated before, when I have participated in debates in this Legislature, I come from a policy background. Prior to my election, I was a policy researcher, so I like to focus on those aspects of legislation that respond to what the evidence tells us—what we know from data and from experience about the actual problems that exist—and also what we know from other jurisdictions and from best practice about the best solutions to address these problems.

**1400**

From that perspective, I would say, and members of my caucus would agree, that Bill 73 gets a passing grade. It does identify that a lack of transparency in the planning process has hindered the ability of citizens to participate in building their communities and that OMB appeals have undermined municipal official plans that are developed and passed with strong community support when a developer challenges the OMB immediately following the passage of the plan. Nevertheless, Bill 73 is far from the OMB reform bill that the government has been promising since 2003 and which Ontarians have long demanded.

In addition, while Bill 73 amends the Development Charges Act to allow municipalities to recover more of the costs associated with new transit projects, it could have gone much further to enable municipal government to fully recover growth-related capital costs—in other words, to really ensure that growth pays for growth.

Despite more than a year and a half of public consultations on this bill, consultations that began in the fall of 2013, Bill 73 does relatively little to address some



of the most pressing problems in land use planning. As my colleague the member for Windsor—Tecumseh said, many Ontarians were hoping that this bill would go much further than it does. They were hoping that Bill 73 would implement inclusionary zoning to address the chronic shortage of affordable housing across the province. They were also hoping that it would put some real checks on the extraordinary power of the OMB to override the express wishes of Ontario municipalities. Unfortunately, these issues are not addressed in the bill.

But before I go into more detail about these missed opportunities, I want to highlight some of the provisions that are included in the bill and which do improve some of the issues that we have seen in the planning process.

The first part of Bill 73 proposes a series of amendments to the Development Charges Act, 1997. It removes the current mandatory 10% discount that must be applied to transit-related growth costs in the determination of DCs. It allows the Lieutenant Governor in Council to prescribe municipal services whose DC recovery costs can be estimated based on planned levels of future service rather than historical past levels, which could help municipalities undertake transit expansion or build new recreational facilities etc. It also imposes additional reporting requirements on how development charges are collected and spent to ensure greater transparency in the DC process.

The second part of Bill 73 amends the Planning Act. It places a two-year moratorium on amendment applications from developers following the adoption of a new official plan or zoning bylaw—and this is what I had referred to earlier. Previously, we had seen developers applying for amendments following the adoption of an official plan—an official plan that had been developed by means of an extensive consultation process. This allows the official plan to be in place for at least two years before an amendment can be applied for.

Bill 73 also prohibits global appeals of new official plans and allows appeals only if they are connected to specific issues with a plan. It makes planning decisions more transparent by requiring approval authorities to explain how written or oral submissions that were received during the planning consultation process affected the final decision. It changes the time frame for a developer planning appeals to the OMB by effectively stopping the clock if parties wish to pursue alternative dispute resolution. The clock restarts on the time frame for appeals once the ADR process is completed.

The bill requires municipalities to create planning advisory committees, or PACs, which must include at least one resident of the municipality who is not on council and not a city employee. This will require some municipalities, like my community of London, to shift planning responsibility from where it currently resides within a standing committee of council, to a PAC committee instead.

The bill allows municipalities to request a 90-day extension of the current 180-day deadline to make a decision with respect to an official plan or an official

plan amendment. It requires a comprehensive review of new official plans 10 years after they first come into effect instead of the current five years, but it then requires updates every five years thereafter. Similarly, it also changes the timeline for provincial policy statements so that the PPSs have to be updated every 10 years instead of the current five.

The bill requires municipalities to have a parks plan in order to collect cash in lieu of parkland dedication, but reduces parkland dedication payments from a rate of one hectare for every 300 residents to one hectare for every 500 residents.

Speaker, some of these amendments are certainly welcome and long overdue. For example, allowing municipalities to base development charges on planned future levels of service, instead of historical average levels, and removing transit from the arbitrary 10% DC reduction could provide a much-needed revenue stream for municipal transit projects.

This is of particular significance for my community of London. We are projecting a population increase of 77,000 people by 2035 and have been moving ahead with an ambitious rapid transit initiative called Shift London, which, of course, will require significant investment in transit vehicles and infrastructure.

Speaker, New Democrats are certainly supportive of these provisions. We are also supportive of the amendments in the act that increase the authority of municipal governments to make decisions on local matters and that reduce the impact of appeals. As I mentioned, placing a two-year moratorium on appeals to the official plan is a significant step forward, given the comprehensive process that is involved in developing and adopting a new official plan.

I do want to say with some pride that in my community, London's new draft official plan involved the most extensive process of civic engagement that has ever been undertaken by any Canadian municipality. That plan is still in draft form. It has yet to be approved by council, but once it is adopted, the extensive consultation process that went into its making should be respected.

In fact, it's the provisions of Bill 73 related to the process of adopting the official plan that will have the biggest impact on my community of London, as well as other communities that are at a similar stage, because we haven't yet adopted the official plan. For that reason, council is considering delaying approval of the London plan until these amendments that are included in Bill 73 are in place.

With regard to the proposed DC amendments, London's main concern is to maximize flexibility for local councils to set their own policies and to use DCs to fully recover growth-related capital costs. The city has identified four specific areas related to DCs that they would like to see amended before the legislation is finalized: area ratings, mandatory reductions, ineligible services and OMB appeals.

Currently, municipal councils are able to determine if certain services and/or areas should have differential DC

rates. Bill 73 states that regulations may require councils to use differential DC bylaws for different parts of their municipalities, which would really limit the policy-making authority of councils. It will be important that the new regulation respect council's ability to determine their own DC bylaws according to local needs and circumstances.

Second, although transit is being removed from the mandatory 10% reduction for soft services, other services such as parks, recreation facilities and libraries are still considered ineligible for DCs. This limits the ability of councils to fund legitimate growth costs and increases the cost for local taxpayers. In London's 2014 DC study, the 10% reduction to these services meant that approximately \$5.3 million of growth costs could not be recovered.

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Third, the DC Act outlines a number of ineligible services that cannot be funded from development charges, ranging from museums, theatres, art galleries, tourism facilities, parkland acquisition, municipal administrative buildings and waste management. I understand that waste diversion is being considered under Bill 73 as eligible for DC recovery and this is certainly another change that is long overdue. However, many would argue that there should be no ineligible services, that the principal of growth paying for growth should make all growth-related services eligible for DC funding. The Urban League of London, in its input to the bill, pointed out that removing the discount for municipal buildings could actually incentivize municipal governments to build to LEED standards, which would, in the long run, save money on energy and is just better for the environment.

From our perspective in the NDP caucus, the most troubling omission from Bill 73 is around the issue of inclusionary zoning. This has long been identified as a planning priority by the NDP. In particular, I want to acknowledge my colleague the member for Parkdale-High Park, who has shown considerable leadership on this issue by introducing a private member's bill. We also know that many Liberals also support inclusionary zoning. We saw a private member's bill from the member for Etobicoke-Lakeshore which includes a lot of regulation around inclusionary zoning. That PMB would make it mandatory, in fact, that developers make new units available to people who require affordable housing. This is definitely a direction we would like to go in, and we have some questions about why that private member's bill was not included in this government act.

We know that there is a crisis in affordable housing across the province. The latest report from the Ontario Non-Profit Housing Association, the 2015 Waiting Lists Survey, shows that 3,643 more Ontario households are waiting for rent-geared-to-income housing, compared to 2014. For the second year in a row, the average wait to get housing in Ontario was almost four years.

In my community in London, we are a bit better off than other parts of the province; our average wait time is only 1.56 years, and there was a slight decrease over the last year in the number of families waiting for affordable

housing. But the number of singles and couples with no children on the wait-list jumped 18% between 2013 and 2014. The reality is that rent remains too high for many single people or childless couples who are looking for small units in London. If you are on Ontario Works, there are few, if any, apartments that are available within the housing allowance of \$375. If you're working at a minimum wage job in London, you will be hard-pressed to find an apartment that you can afford when market rent for a bachelor apartment is about \$586, and it's \$767 for a one-bedroom apartment.

So inclusionary zoning would have been a critical tool to help municipalities like London and other communities across the province to increase the stock of affordable housing, particularly, in our case, in London, of affordable one-bedroom units, which could help ease the pressure we are experiencing.

In London, as my colleague the member for London-Fanshawe and I have also spoken about in this House, we are tragically familiar with the consequences of not providing access to affordable housing, particularly for people who are vulnerable. It forces people who want to leave shelters to move into substandard housing, such as rooming houses or unregulated group homes and puts them at significant risk.

Last fall in London, we learned of the death of David MacPherson, a 72-year-old man who died in a house fire in an unregulated group home, a fire that also left two dozen other people homeless. Later in December, a man was burned out of a room he was staying in at a low-rent motel in London. Earlier this year in London, a wind-storm ripped off the roof—the total roof was blown away—of a substandard walk-up apartment building. Again, almost a dozen low-income tenants were left homeless. So inclusionary zoning, as I have said, would go a long way to help increase the stock of affordable housing.

As I indicated, there are some references to the OMB that are included in Bill 73, but in our view, it completely misses the boat on OMB reform. Many citizens in communities across Ontario have learned the hard way that the OMB holds really extraordinary powers, even to the extent of being allowed to make up its own rules.

This is an issue that has been raised numerous times in this place by my colleague the member for Kitchener-Waterloo. In her community, the OMB overturned an official plan that was 10 years in the making, a plan that was designed to curb urban sprawl and promote transit-friendly compact development. It was endorsed by local politicians, embraced by the community, approved by the province, but following a developer's appeal to the OMB, it was overturned. It was replaced with sprawling development that is much more extensive than anyone in the region had contemplated, which is leading to a significant loss of farmland, a reduction of green space and increased threats to the groundwater. Not only did the OMB's ruling show complete disregard for the community planning process, it also totally ignored the provincial government's Places to Grow Act.



Overall, New Democrats support this bill. We'll be voting to move it to committee because we do feel that it deserves to have public input, but we will be listening carefully to the amendments that are brought forward by municipalities like the city of London and we will be interested in hearing the views of all Ontarians who have an interest and a stake in decisions about land use planning. As I have indicated, we will certainly be looking to introduce our own amendments related to OMB reform and inclusionary zoning.

Thank you very much, Speaker, for this opportunity. I look forward to questions and comments from other MPPs. Thank you.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Hon. Steven Del Duca:** I want to begin by thanking the member from London West for her comments here this afternoon as it relates to this important piece of legislation. I listened very carefully to what she said. Of course, I'm very happy to hear that there will be support to have this legislation continue through the process and get it to committee.

I've had the chance as we were here in the House to have conversations with a number of my colleagues, including the minister responsible for this legislation, someone who I know has worked very hard on this legislation. He and his team, of course, have worked very hard on this legislation over the last number of months.

It is really important, and the member from London West did allude to this. I know that many of us on all sides of the House, and not that many weeks ago, had the opportunity to be at the Association of Municipalities of Ontario conference. I certainly was there and spoke to a number of municipal representatives, including some from London. Of course, not surprisingly, and I think we all know this: It is extremely important to our municipal partners, to various elements of the private sector and of course the work that's taking place at MTO in terms of how we go forward to invest in critical transit and transportation infrastructure to make sure that we have a very balanced and responsible approach to ensuring that we have the resources available to make the kinds of investments, to build the sustainable, healthy communities that we need, both from an economic standpoint but also from the standpoint of a prosperous economy, which I know is an objective that we all share in this Legislature.

Again, I'm very happy to hear that that member from London West understands the importance of moving forward in a balanced and responsible way. I know that the Minister of Municipal Affairs and Housing, my good friend from Hamilton, represents a community not unlike London, not unlike many others in this Legislature that definitely need more support in terms of the resources that need to be allocated to build out that critical infrastructure.

I welcome more debate on this. I thank that member for her comments, and I think we all look forward to the continuation of the legislative process on Bill 73.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

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**Mr. Randy Pettapiece:** I am pleased to rise to comment on the 20-minute address that the member from London West has just put before the House.

One of the things we heard strongly at the recent AMO conference—and I want to talk about AMO a little bit—was that they need the provincial government to listen to them and to be a real partner. I think we heard it again—in fact, I know we heard it again—at AMO.

About two years ago, I had a resolution pass this House concerning liability insurance with municipalities. We were expecting the government to listen to well over 200—in fact, it was closing in on between 250 and 300 municipalities that agreed that liability insurance had to be addressed in Ontario, and we have those records.

We were fully expecting—and the municipalities were expecting—some kind of move by this government to address this situation. Of course, we heard the results: The government was just flat out no; they weren't going to touch it. So when we say that the government is interested in working with AMO and the municipalities in Ontario, we're somewhat suspect on that, and we are concerned that this legislation is happening before all consultation is done.

As part of the minister's mandate letter, he was tasked with conducting a full review of the Ontario Municipal Board, but this bill tables a number of changes to the board before the review is conducted. I would hope that the government listens to the municipalities in this province and does conduct more hearings and better hearings than they've been doing already. Municipalities want to be our partners, and we should give them full partnership in any decisions that are being made.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**M<sup>me</sup> France Gélinas:** It was very interesting listening to my colleague from London West talk about Bill 73, an Act to amend the Development Charges Act, 1997 and the Planning Act. Not only did she give a good overview of what is in the bill, but she also gave some very relevant live experience, I will call it, from her riding, from the town she represents, from London, where some of the work they had done was completely overlooked. It didn't matter that the town had engaged in a meaningful consultation process, and that they worked on it for a period of 10 years. They submitted their plan, and then a developer came along, went straight to the OMB and it's like none of that work ever happened, none of that work ever mattered. That has brought problems to the people in London, and certainly the member was good at explaining what happened.

All this is to say that we agree that the Planning Act needs to change. We agree that this is 2015, and things we had in 1997 don't look anything the same almost 20 years later. Here again, it's not what's in the bill that is problematic as much as the big gap, the opportunity lost, the known problem with parts of the Planning Act as well

as with the Developmental Charges Act that should be included in this bill.

Why are we so timid when we already know there is an elephant in the room? We already know there are some severe problems with the Planning Act. Here is an opportunity to fix it. Don't let it go by.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Ms. Ann Hoggarth:** I just wanted to say that in my riding of Barrie and the surrounding area, they are constantly hearing of issues with planning and citizens upset about something going one way or another and feeling that they haven't been consulted.

I think our reforms to the Planning Act and the Development Charges Act would make sure that growth in Ontario is managed smartly. We are proposing changes to the tools and processes that communities and citizens use to determine how their neighbourhoods grow, and to plan and pay for this growth. And they should have a say.

Our proposed amendments would give residents a greater, more meaningful say in how their communities grow. It would make the planning and appeals process more predictable. It takes way too long now and, as a former speaker says, it comes out sometimes a way you had no idea it was going to. It would give the municipalities more independence. It would make it easier to resolve disputes at the community level.

I think that there is still some work to be done, so our government will be launching two working groups that are doing a further review of some land use planning and development charge issues. I think that's a good idea, too.

One of the most important parts of the bill, as I see it, is that, to encourage parkland and green space, municipalities would need to put in place a parks plan. The plan would involve input from school boards and community members. The municipality would need to report publicly each year on how the parkland funds are used. Children and families need places to play close to their homes and their schools.

I urge you to support this bill.

**The Acting Speaker (Mr. Ted Arnott):** That concludes our time for questions and comments.

We return to the member for London West for her reply.

**Ms. Peggy Sattler:** Thank you very much, Speaker. I want to thank the Minister of Transportation, the member from Perth–Wellington, the member from Nickel Belt and the member from Barrie for offering some comments on my remarks.

I did want to clarify something with the member for Nickel Belt. It was Waterloo region that went through this horrendous experience with the OMB, not my own community of London. But Waterloo region is not unique. This is an issue that has been shared in this House by the member for Kitchener–Waterloo on numerous occasions because she is so close to the power of the OMB to override this community-based planning pro-

cess, what the implications are and what the fallout has been within that community.

The Minister of Transportation mentioned the AMO conference, and the member for Perth–Wellington talked about municipalities looking to the provincial government to be a real partner in the consultation process. What we heard—the members of our caucus who were at the AMO conference—is that, too many times, the government is not there as a real partner. The example of liability insurance was raised as one of those cases where the province has not come through. Transit investment: Even though there is currently the exemption in Bill 73 to remove the 10% reduction and it will go some way to help municipalities fund transit, it won't do everything that's needed.

**M<sup>me</sup> France Gélinas:** Point of order.

**The Acting Speaker (Mr. Ted Arnott):** Point of order, the member for Nickel Belt.

**M<sup>me</sup> France Gélinas:** I wish to correct my record. I said that the town of London had had a difficult time. It was really Waterloo. I'm sorry for the mistake.

**The Acting Speaker (Mr. Ted Arnott):** Thank you very much.

I beg to inform the House that, pursuant to standing order 98(c), a change has been made to the order of precedence on the ballot list for private members' public business such that Mr. McNaughton assumes ballot item number 64 and Mr. Pettapiece assumes ballot item number 71.

Further debate? I recognize the government House leader.

**Hon. Yasir Naqvi:** Thank you very much, Speaker, for recognizing me to speak on Bill 73, the Smart Growth for Our Communities Act, which was tabled by the Minister of Municipal Affairs and Housing, whom I had the honour of joining when the minister introduced the bill, along with his parliamentary assistant, the member from Northumberland–Quinte West. I remember that.

Speaker, I stand here to speak on this very important issue around land use planning in my capacity—my very important responsibility, in fact—as the member of provincial Parliament for Ottawa Centre. I have, since 2007, an incredible privilege of representing my community of Ottawa Centre. Those of you who have had the opportunity to be in my riding—and I hope that's every single member in the House, because I have the most rare and unique opportunity of representing downtown Ottawa in our nation's capital, with national institutions like the House of Commons, the Senate of Canada, the Supreme Court of Canada, the Bank of Canada, and many national museums, something that everyone should come and visit.

**1430**

I've had the amazing opportunity to work with my community on some very important issues as we work together to grow our community and make it even more livable and healthy for all members of our community. One of the issues, Speaker, that I've been quite actively working on with my community since, I would say, 2009



or so is the issue around land use planning, the issue around development in our community and the challenges, at times, that come up with that development if it is not done right.

My community, given that it is a downtown community, is home to many desirable neighbourhoods that are sought after across the city. I would say, with all due respect to all the members from the Ottawa area, you will see neighbourhoods like the Glebe, or Westboro, Hintonburg, Carleton Heights, Centretown, Carlington, Mechanicsville—all these neighbourhoods, Speaker, are absolutely just growing. They're growing with young families moving in, buying their first home. They are growing with a lot of what we colloquially call empty nesters: couples whose kids have grown up and have now gone to university or have their own homes or jobs, who are downsizing, coming into downtown and perhaps moving into condominiums. That's another big development you'll see in my community: vertical neighbourhoods, as I often call them, with condominium buildings being developed.

But with that intensification, which is very much welcomed in my community, come challenges around how that development is taking place, to what extent the community is engaged and involved in that development, and how we are working together to ensure that the development that is taking place in our community is being done in a manner that keeps the fabric and the character of our neighbourhoods. That's one of the things my constituents often talk about: making sure the development we are having really maintains that fabric, that tradition, the values of our neighbourhoods, because the neighbourhoods in my community go back over 150 years, since the building of the Rideau Canal and Bytown, and of course the development that took place that is now the city of Ottawa.

As a result of that tension, at times, I've been quite engaged with my community in working along with them in developing the next steps to ensure that the process of development and the process around land use planning is one that brings everybody together—brings the developers and the community and the municipality together—so that we can work together in creating what we refer to in my community as community-inspired development, where everybody is working together so that the intensification that is taking place is something we can all enjoy and live with.

As a result of many conversations and meetings and consultations with our community associations and with neighbours and friends in my riding, in the election of 2011, I came up with a very concrete proposal as to how we can have community-inspired development. There were four things that I proposed on behalf of the community—and I committed to the community that if I'm elected, I will work on those things—that I wanted to very quickly highlight.

One was to change the Planning Act to require municipalities to adopt completed community design plans into their official plans—that's something that our

communities spend a lot of time developing, these CDPs, or community design plans—to make sure they actually become part of official plans as sort of secondary plans, so that everybody has the predictability and certainty around what has been decided as a community. That includes developers as well.

Another proposal that I had put forward as part of our community-inspired development proposal was that we ensure decisions of the city council around official plans are respected by the OMB. Many times, communities feel that the OMB overrules those decisions and elected representatives in city council sometimes lose their voice.

Thirdly, that we impose mandatory mediation in all development appeals, as opposed to the adversarial process that exists; and lastly, introduce anti-SLAPP legislation to protect the participation of individuals and community groups advocating or speaking out on these and other issues.

Since my re-election in 2011, I've been very actively working on all those four aspects, and I'm really happy to see that Bill 73 adopts many of those suggestions that my community and I made in that process.

As for the anti-SLAPP bill, I took the step of introducing Bill 132 in October 2012, as a private member's bill, to have the legislation around strategic litigation against public participation. I'm very excited to know that the voice and the will of my community, expressed through Bill 132, was then adopted by the government, by means of Bill 52, which is being debated in this House as well. I am hopeful that it will become law in this session through the support of all members in the House.

But the other three elements have been something that we've been discussing and I've been advocating to the community. As a result, in 2012, I hosted a community consultation, something that I do—it's called a sustainable community summit—where we take different topics that are important to our downtown urban needs. We had over 100 people come to that consultation with some excellent presentations as to how we can reform our land use planning system.

We had presentations—and I do want to mention these individuals, because they're very active in my community—from people like Jay Baltz of the Hintonburg Community Association, who had done extensive work on the OMB process and was actually also part of the adjustment committee at the city as well. We had January Cohen, who is a development lawyer with Soloway Wright LLP, who brought the practitioner's own perspective into the conversation. We also had a developer, Neil Malhotra, who is the vice-president of Claridge Homes, who very candidly offered development's point of view as to the planning that goes on on behalf of developers when they are proposing projects.

That robust conversation resulted in a report that we tabled to the then Minister of Municipal Affairs and Housing—the current Premier of Ontario—to sort of undertake, where we very candidly canvassed issues like these: Should we just maintain the status quo? Should we create local appeal boards, as opposed to OMBs, to look

at decisions? Should we enhance community-inspired development, something that I had proposed and we see reflected in Bill 73? Should we dissolve the OMB?

I have to tell you that the overwhelming response by the members of my community was, number one, against maintaining the status quo, because they felt that something is broken and needs to be fixed, and against dissolving the OMB. They felt that the OMB has an important role as a quasi-judicial tribunal, an arm's-length body which is not government. It's a court-like body with expertise. Rules maybe have to be looked at, but it's important to keep that body in place. But really, it was sort of focusing on, what we need is more community-based development. We need more community voices in that development process.

Let me just highlight and share with you, Speaker, a couple of things that my community said, which we noted in our report. Minister, if you want a refresher copy of the report, I would be more than happy to share it with you again as well.

#### *Interjections.*

**Hon. Yasir Naqvi:** No, I'm not being facetious. Actually, if I may say so, it's a very extensive report. It really captures the views of my community from a downtown perspective. It's a very thoughtful conversation that took place, looking at a variety of options and discussing that with the help of some experts in the room.

One of the participant members of my community said that the OMB works. The problem is at the level of the city's official plan zoning and a commitment to working with the official plan zoning.

Another participant said, in that consultation, that it's not about the OMB but about how communities and citizens are able to communicate perspectives and valuable opinions into the official plan and CDPs.

**1440**

Those are just two examples where people very strongly talked about how we can improve the system by making sure that community voices are present at the discussion when a proposal is put forward by a developer and then that proposal works through the system to the city level.

I'm of the view, Speaker, that if we can have a better conversation, if we have better feedback at the initial stage, you will eliminate the majority of OMB appeals right from the get-go. The reason OMB appeals take place is because something got broken at the front end, where people were not talking, where projects were being rammed through, either through the developer or at the city council. Somebody is unhappy, and that unhappiness then reflects in the appeal process.

That is why I am so excited about Bill 73: because this is exactly what this bill achieves to do. It makes the citizen engagement piece an integral part, a mandated part, through legislation, from the moment a proposal is put forward and then all the way to the OMB process, if you get that far.

The fact that we are now requiring city councils or city planners to have citizen engagement as part of the official

plan, I think, speaks to the community-inspired development. This bill requires that developers must consult with the communities when they put forward a proposal and then shall—the language is mandatory—respond to that and reflect changes accordingly.

The fact that we now require that the city council or city planning committee also consider community feedback and make sure that the developer actually responds to that is an important step—then reporting back on that, then taking that thread further if the matter does go to the OMB, making sure that the OMB also gives regard to that process. I think that's a very sensible move and something that has been appreciated in my community.

In fact, Speaker, I will say to you that since we have tabled this legislation, many communities and developers are now working together and already starting to do that, because they realize—hopefully this bill will be passed with the permission of all the members—that this is the right thing to do. We're starting to see development take place in the community where—in the past, people did not speak to each other; the community did not speak with the developers or vice versa—they are actually walking hand in hand because they are talking to each other and they are influencing each other.

I'll give you the example of Old Ottawa East, also a neighbourhood in my community, where a whole new development is starting to take place on Oblate lands. It was church land. It was a beautiful green place with heritage buildings. The church had to sell the building, but the city made sure that they engaged in a community design plan that was very consultative in nature. The developers who bought the land made sure that they worked with the local community association.

I'll never forget that photo that got published in the *Ottawa Citizen*—half a page—where the developers and the members of the community association were, all four, walking through this piece of land arm in arm. That's what the photo was. We never used to see that, but the reason we were able to see that is because they all worked together. They were able to influence the development as a community. The developers were able to respond to the needs of the community. What we will have is a more community-inspired development, a wholesome community that will be developed and intensified because this was green space that was being developed by the Rideau River—it's a beautiful piece of land—in a manner that reflects the views of the community.

This leads me to the second point, which is very important in Bill 73 and something that my community raised as part of a proposal around sustainable community development: We need more certainty also from our city councils. When communities work extremely hard through their community design plan process, that needs to get enshrined in the official plan; that has to become an effective, mandatory part of our CDPs.

Where you get challenges—and I can tell you some really not-so-pleasant experiences in my community, where, for two or three years, the community worked



together in the Westboro and in the Wellington West neighbourhoods in my community, where we've seen a lot of intensification. They worked together in developing those CDPs, and those CDPs then were ignored as developers came forward and put proposals forward. I won't blame the developers for that. I would say that the city should have done a better job in saying, "No, no, no. The CDP says nine storeys, not 35 storeys, and we will hold your account to nine storeys only."

The solution to that is that, once CDPs are developed with broad consultation, we should make them part of the official plan. This bill does that through the community design permit system. It really asks that we bring that certainty and predictability. When communities work together in developing a community design plan for a neighbourhood, through this permit system that is allowed for in Bill 73, it becomes part of the official plan as a secondary plan, and the municipality then updates their zoning bylaw to reflect that change that has been established through the community design planning permit. That one change will go such a long way, because it's like posting a speed limit. When you say, "You shall drive at 50 kilometres an hour," then that's the speed limit and you can't go through the speed limit. If you do, there are consequences. That provides predictability for the communities and for the developers, because then they can plan accordingly. I'll guarantee you, Speaker, that you will see a big reduction in the number of OMB appeals as a result of that.

Let me just very quickly, Speaker, given my time, also talk to you about another important aspect of this bill, and that is around the predictability of 10-year official plans. I think that's an important step, to make sure that there's incentive for municipalities to create official plans. We see a lot of municipalities which don't renew their official plans accordingly, as prescribed in the Planning Act, and I think that a longer time frame gives them that perspective. Having a two-year freeze in that timeline helps as well. The city of Ottawa has been very good in that regard, in terms of renewing their official plans. But that is an important aspect.

The last point is around development charges, and the predictability, transparency and accountability that is being proposed. I will speak in relation to public transit, which is very important to my community in Ottawa Centre.

These changes are welcome changes. This is something that my mayor, Jim Watson, who is a former member of this Legislature, has been asking for. I believe that Waterloo has also sought the same type of changes. Those communities where we've not had systems like the light rail transit system we're building in Ottawa, which runs through my community in Ottawa Centre—the current model of calculating development charges on historical 10-year data does not work. That historical 10-year data does not exist, because we've not had that mode of transportation. That's not the case, for example, in the city of Toronto, which has had a multi-modal transit system for some while. So the change that is being

proposed that will allow for a more prospective way of calculating development charges is a welcome change, because it will allow for our municipalities to be able to take those development charges and be able to invest in further public transit as well.

There may be some disagreement, I understand, between the development community and what municipalities are asking for. I know the minister and his staff are doing a very good job to bring everybody together and get some peace in the valley, as they say. But I think, at the end of the day, it's a step in the right direction to ensure that we encourage communities like mine in Ottawa and Waterloo to actually take development of public transit and be able to attract more of what we call "transit-induced development." We want more and more people living closer to public transit so that they are not relying on driving their cars too often, and it will result in better planning and better neighbourhoods.

Speaker, my time is up. I just wanted to say that I'm very excited that this bill is going forward. I encourage all members to vote in support of this bill, something it is supported very wholeheartedly in my community. We also look forward to working with the minister on his consultation on OMB reform, because that is important work as well. But this is a very good step in the right direction.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Bill Walker:** It's a pleasure to speak to Bill 73, the Smart Growth for Our Communities Act, and reference a few things commented upon by the Minister of Community Safety and Correctional Services. I certainly respect his opinion in many cases. He's a good member of the House, but he's brought up a couple of points that I just can't look past.

**1450**

He used the words "a better conversation" in there. I find that very interesting in the fact that they oftentimes move forward without even waiting to consult or have a conversation with the people whom they are imposing their rules on.

He talked a lot about downtown works. I just want to remind the minister that we need to be inclusive in our approach to legislation that respects both urban and rural needs. Not all of us have cities in our ridings, so there's a lot of difference in rural Ontario that needs to be respected.

There was talk about consultation in there. I believe that in the minister's mandate letter there was supposed to be a review of the Ontario Municipal Board, yet they are going to move forward. Part of that review, I believe, was supposed to be the greenbelt, the Niagara Escarpment, the Oak Ridges moraine and the actual OMB, but now they've brought legislation ahead of the supposed conversation or consultation.

At the risk of sounding a bit cynical, I recall in my three and a half years here a lot of discussion about the Green Energy Act, where they actually took away that ability for a local municipality to have a say in the

sustainable growth of their community. So I find it a bit challenging to believe that they're going to make this legislation work better than the Green Energy Act when they've already superseded their own conversation and consultation in regard to something that's going to have a significant impact on all of our municipalities, Mr. Speaker.

At the end of the day, we need to ensure that our communities have sustainable growth. We've asked them, for at least the last two years—one of the most significant pieces of legislation is our hydro pricing. That's driving people out of our communities, out of our province and out of our country, to be absolutely frank. At the end of the day, I would hope that they'll also address that portion of their mandate to ensure that we actually have rates that people can afford. We definitely need balance; we need a balance for our Development Charges Act.

There are a lot of pieces in here. We need the conversation and consultation to ensure that it's actually legislation serving all Ontarians.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Ms. Jennifer K. French:** It's my privilege to be back in the House and be able to stand and speak on an important topic. I'm glad to have the opportunity to make some comments in response to the Minister of Community Safety and Correctional Services. I appreciated some of what he was saying about the development of neighbourhoods, and—I think as he put it—the fabric and character of the area being so important to the residents and neighbours. That's true also in Oshawa: that members of the community really do value the fabric and the character of the area.

An interesting piece, though, was when the minister spoke about the intensification being something that we can all live with and enjoy. While I'm not arguing that point, I would say that we have many neighbours in our downtown Oshawa area and community. That intensification likely looks quite different than it does in Ottawa Centre, but that intensification is happening. Those individuals don't have anywhere to live and therefore are not in a position to enjoy that situation. As we've talked about this being a missed opportunity with this piece of legislation to really bring affordable housing into the conversation and to the table—we have to do that.

The citizen engagement piece: I spent a lot of this summer doing just that, at some of our charitable barbecues, and people were coming into our offices in dire need. We have individuals who still haven't paid for a winter's hydro bill and are wondering how they're going to do that and what's coming this winter with costs going up. With affordable housing being something that is in such short supply, our waiting lists are growing quickly, but not the opportunities for safe and affordable housing for many of our residents.

As I mentioned, intensification—oops; I'm out of time. I look forward to speaking to this another time.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Glenn Thibeault:** I'm very pleased to be able to rise today and speak to my honourable colleague's comments as it relates to Bill 73, the Smart Growth for Our Communities Act. I know we're looking at doing a refresh of this—what's the word I'm looking for?

*Interjection.*

**Mr. Glenn Thibeault:** The bill is a refresh. Thank you. It has been a long time, Mr. Speaker. We haven't had to stand here since June.

Anyway, it's a great opportunity for us to be able to talk about that. Reflecting on the comments that my honourable colleague was making earlier, he talked about community-based development and community-inspired development. Those are two things that I know have happened in my community of Sudbury often.

If you go back decades to the unfortunate circumstance of people deciding the caption of us being the “NASA of the north,” where we had astronauts coming out and practising their drive on the moon, we've done a great job of really developing our community. It took the will of the community to come together to actually re-change, to re-modify our community. Now we've won UN awards, we've won re-greening awards, national awards and international awards.

That's what this bill, I think, is talking about too. It's bringing together the opportunity for all of the community—citizens, developers and the city—to work together. I know my honourable colleague mentioned that when you're talking about community-inspired and community-based development, you actually start to eliminate a lot of those OMB appeals.

I think what we see here, as I said earlier, is a refresh and an opportunity for us to help both rural and urban municipalities and actually bring our communities together to continue to grow our communities with, as this bill says, smart growth for our communities.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments.

**Mr. Randy Pettapiece:** I would like to rise and comment on the member from Ottawa Centre's speech concerning this bill. I think, as we have listened to all the comments in this House, it gets down to being a matter of trust.

We have seen in rural Ontario—and I'll speak from that perspective, having been on a farm most of my life and seen what the legislation has done to rural Ontario, especially the Green Energy Act. It has created distrust of the government over the placement of wind farms in our area. Neighbours are fighting neighbours. It has disrupted, over the last number of years, our communities in rural Ontario, and I would hope the government would take that to heart, that they have to listen to who they're dealing with. They are not doing that.

We heard that at AMO again this year. As Mr. McNamara said, you'd better start listening one of these times, because you're not doing it now. This government needs to understand that they are not the only government in this province. There are three tiers of government and we all have to work together.



When I was a councillor with North Perth, it was the same thing. We would go to AMO and other conferences, we would have meetings with the ministers, and it just seemed like we got a pat on the head and they said, "There, there, we know better."

**Mr. Lou Rinaldi:** That was with the Harris government.

**Mr. Randy Pettapiece:** No, it wasn't with the Harris government when I was a councillor. It was not with the Harris government when I was a councillor, sir. Get your facts straight.

This seems to be an ongoing thing with this government, that they say, "Oh, thanks for coming in and thanks for talking with us." I hope they understand that this has to change. I hope they will take that to heart, because the municipalities are really getting frustrated with these things, and hopefully this legislation is not going to make municipalities suffer too much.

**The Acting Speaker (Mr. Ted Arnott):** That concludes our questions and comments for this round.

I return to the government House leader.

**Hon. Yasir Naqvi:** I would first like to thank the members from Bruce-Grey-Owen Sound, Oshawa, Sudbury and Perth-Wellington for their comments on the comments that I made earlier.

I'll say this again from the outset: I'm speaking here today on this bill from the perspective of being a member of provincial Parliament for Ottawa Centre, which is a downtown community. The number one responsibility that I have, and I'm sure everybody will agree—we serve our community first. I'm very much bringing forward the perspective that I am aware of, the perspective that I work with as the representative from my downtown community, and I'm accountable to them.

I wanted to present to you, over the last 20 minutes, a bit of a picture of the kind of circumstances and situations that we have dealt with and how my community has worked in a constructive, proactive manner to develop solutions that will help improve the manner in which decisions are made around land use planning at the municipal level and then at the provincial level. We, working collectively, have been working along with the government in suggesting and promoting these ideas. I stand here quite heartened to see that a lot of the things that my community has been talking about, a lot of the things that my community has stated will help ensure that we have development that is more community-inspired, are reflected in Bill 73.

The work that we've done through my local consultations and the consultations that the Ministry of Municipal Affairs and Housing did—in fact, they were held in my riding in November 2013, as I recall, at Carleton University, and many, many people from my community attended that. Then, those aspects being in the bill. In fact, I have a bit of a kitchen table of community activists that I work with on this issue, and they have been working along, and they see this as a step in the right direction. I ask for all members' support in that regard.

## 1500

**The Acting Speaker (Mr. Ted Arnott):** Further debate?

**Mr. Toby Barrett:** Good afternoon, everybody. I think it is hitting home that our proceedings have commenced. I actually thought it was quite appropriate to commence this session of the Legislature with the unanimous consent motion recognizing the fact that Her Majesty is part of this legislation that we are debating, acknowledging in this first session and all sessions of this Legislature that debate is conducted under the auspices of the Queen. It's entrenched in our constitution: Her Majesty is at once a human being but also an incarnation of this process. The institution within Ontario—within Canada—provides with us the authority to do what we are doing this afternoon, whether we are a federal member, a provincial member and, I would assume, by extension through the provincial government, municipal members.

Quite honestly, I've never been a municipal councillor. I don't know whether municipally elected representatives swear allegiance to the Queen. That's a question I might put out for somebody who may have an answer. But we're not allowed to set foot in this chamber without swearing an oath of allegiance to the Queen. In this bill itself, Bill 73, the first two words of this legislation, if you open it up, are "Her Majesty," and it continues from there.

So, through this legislation, under the auspices of a politically neutral monarch who personifies the Canadian state, ensuring that those of us who are elected, those of us conducting business this afternoon—and I would assume municipal councillors as well—remember that the power is only loaned us to by the crown on behalf of voters.

I know there has been considerable discussion this afternoon about whether the public engagement, the citizen participation, with respect to this legislation was adequate. It's not complete. Quite honestly, I don't know. I am assuming there will be hearings when we finish second reading. But our job, under the authority of the Queen, is to come up with the best law possible. Indirectly, it does go to Her Majesty to be sanctioned in her name.

If you open up the legislation itself, I think it's page 2 or 3, where the meat of it commences with the endless pages of amendments, it commences with, "Her Majesty, by and with the advice and consent of the Legislative Assembly of the province of Ontario, enacts as follows: Development Charges Act, 1997." Then we see close to five pages of amendments to the Development Charges Act alone. As people here would know, the rest of Bill 73 is a list of amendments to the Planning Act.

But first I wanted to talk a bit about the Development Charges Act. As I mentioned, I was never a municipal councillor. It's something that is out there. For many people, I would think, their eyes would glaze over discussing development charges. Many other people may not understand it. I didn't understand a lot of details until

I started looking at this legislation. At minimum, I think that people—certainly municipal people—would think we have to have a balance. Are the charges high enough to fund the infrastructure that's required when you start building more condos or more homes or shopping plazas, facilities like that, commercial facilities? Are they perhaps too high? Are they going to inhibit economic activity? Are they going to put undue pressure on young families who wish to purchase a condo or purchase a house, or pay rent in an apartment in a building that is subject to development charges?

So we've got proposed legislation. It provides the authority, it provides the rules for a municipality, if this passes, to levy development charges, done through a bylaw. It's a revenue tool. I haven't heard the term "revenue tool" come up this afternoon, but it is yet again another revenue tool. We understand in our readings that much of the focus is to enhance public transit, something I really do not have in my riding. There is really no such thing as public transit in Haldimand-Norfolk, certainly not in Haldimand county. Our public transit relies on making sure the gravel roads are there and we have culverts and bridges. Now, Norfolk county, more recently, got a government grant, so they have a little tiny bus with tinted windows. I'm not sure how many people ride this little bus from the various far-flung communities in Norfolk county. So public transit is a non-issue in my riding, essentially.

There was a petition a number of years ago coming out of the town of Dunnville down in Haldimand county to encourage the municipality to set up some kind of a bus service—about 1,000 names on that petition—at minimum, perhaps to help people to get up to the city of Hamilton for shopping. But any thought of a bus or any form of public transit just does not exist at all in the east end of my riding.

So we have a revenue tool, one more way to raise money, obviously, designed to help municipalities pay for a portion of growth-related capital—not operating budget, capital—costs incurred to provide services to new residents, new businesses. I have heard the expression, and this came up at the AMO conference this summer, "Growth to pay for growth." I think that's a good approach. It's an oversimplification. So development charges—I hear them referred to as "DC" in some of the debate this afternoon—imposed at the municipal level, imposed on developers, if and when they get that building permit, again, to pay for the increased capital costs. Of course, these costs are passed on, as all costs are, to the homebuyer, for example. These charges are not to pay for operating costs or future repair or future rehabilitation of the newly developed infrastructure required for the new buildings.

So we have a set of reforms before us to the system, again, to try and achieve that balance—I think this was described in the EBR posting as a balance between municipal and development interests. I would suggest we also have to consider the balance required with respect to the tenants of apartment buildings, the owners of new

condos, or the owners of new houses. So the number one focus: enhanced funding for municipal transit—again, something that doesn't really exist in my riding; secondly, enhanced transparency and accountability with respect to the payment of these development charges or any additional fees.

I will say, Speaker, not having transit in my riding—I do admit I have worked in the city of Toronto, downtown, for many, many years, beyond being an MPP. I spent eight years working in this city. This would be back in 1974. I've been commuting on the Gardiner Expressway, off and on, for the last 40 years, I suppose. In more recent years, the last 10, 12 or 15 years, I've seen the—obviously, we've all seen the tremendous growth of the high-rises downtown, the condo towers on either side of the Gardiner Expressway.

#### 1510

Where was the money? I assume these condo developers paid development charges. To what extent has that money gone into the Gardiner Expressway, which is the artery that goes right through that corridor of condos? I think of the Trump tower. I guess I ask myself—Mr. Trump certainly pats himself on the back for negotiating really good deals—who was on the other side of that deal, and what did we get out of that deal? Quite honestly, I don't know what the development charges would have been for that particular tower or the other dozens and dozens of towers that have gone up. But what I can say is—and I haven't talked to any downtown Toronto municipal politicians who maybe have knowledge about these deals—what did they get in return? What I see is a Gardiner Expressway that really—other than dealing with the rust on the rebar under the concrete over the years, I haven't seen any improvements to the Gardiner.

As a weekly commuter, we're all fully aware of the problems. Out of necessity I commute in and out at either one or two o'clock, either one or two in the afternoon or one or two in the morning. I rode in at one o'clock this morning to attend the opening session, and I hit a combination of a bump and a pothole that woke me up at the bottom of Yonge Street, at Front Street.

Yonge Street doesn't look like it's had any work done to it in the 40 years that I've been coming up and down Yonge Street. When I first worked in Toronto, at that time, you could walk to the bottom of Yonge Street, stick your thumb out and hitchhike home. You can't do that now. So my question: With the development in downtown Toronto, what happened to Yonge Street, what happened to the Gardiner, if anything?

I look at those condos and I assume somebody has added up the input to the economic base of the city of Toronto. I would get the impression, looking at these buildings, the overseas money that has gone into these buildings, that you could bury the Gardiner and you could build two brand new Gardiners, one on top of the other. You could widen the Gardiner, as we do with highways, although, again, going back to the deal, somebody



has very skillfully ensured that the Gardiner Expressway will never be wider than it is now.

We've been building railway tracks in this country for 150 years. We build roads. You make allowances. You allow 60 feet, 120 feet, whatever, on either side, and you do not allow brand new residential buildings next a railway track. We see these residential buildings going up in downtown Toronto cheek by jowl to the Gardiner Expressway. I guess that was part of the deal.

Again, I don't consider myself a resident of Toronto, but I guess I've worked in Toronto for something like 28 years, downtown. I may have worked in downtown Toronto longer than some of the Toronto residents who are representing their areas down here.

So there are some of my comments on development charges. We do know—and I think this goes back to the EBR explanation—the intent here is to identify those services which are ineligible for the collection of development charges. This would be done through regulation. It's not spelled out in the amendments that we have before us today, Speaker. It requires municipalities to examine an application of varying development charges within different areas of a municipality. That makes a tremendous amount of sense to me. The town of Caledonia was one of the most rapidly growing towns in Canada—up until nine and half years ago, when things hit the fan. I would assume, that with a high-growth area like that, you would need a much different approach to other parts of Haldimand county. I should say the whole county of Haldimand pretty well has the same population it had 100 years ago. We're not dependent on immigration to make money, we're not dependent on artificial population growth to make money off newcomers. We are a sustainable economy in Haldimand county based on agriculture, based on steel, based on refining; up until recently, a coal-based economy as well.

The fifth point to enhance the reporting requirements—and I will mention, as far as community involvement. I polled my office last week, my constituency office. Nobody has phoned me about this legislation, nobody has sent me an email. I've had a few conversations in the past with developers indicating that the charges in many municipalities make up a very significant portion of the price of a new house. However, yesterday I had an opportunity to have a chat with our local Norfolk county mayor, Charlie Luke, just newly elected a year ago, although he's been on council for something like I think over 30 years. He indicated to me that the county had a review a couple of years ago of development charges, and Mayor Luke, very astute, very knowledgeable of issues municipal, right off the top he indicated that, yes, over the years it's always been that question of striving for a balance between how much money you hit the homebuilders with in consideration of how much is going to be passed to the prospective homeowners—in many cases new families—so that balance between encouraging economic activity and at the same time trying to get at least enough money from this growth that will help to pay for the growth, ensuring

that the funds are there. Again, transit is not an issue down our way.

We cannot have a situation where, in certain municipalities, perhaps if there's any kind of mandated regulation, this would slow economic growth; but I know that's a factor in greenbelt areas. I know our previous speaker, representing part of the city of Ottawa—as I understand, there's a scale. They have a higher development charge for construction in a greenbelt. I guess you're allowed to build in a greenbelt but you pay more in development charges as disincentive for construction in a greenbelt area in the Ottawa area.

Patrick Brown made a speech at AMO this August fully recognizing that municipalities play a key role as drivers of our economy, fully recognizing the importance of giving municipalities—our councillors, mayors and reeves—the tools they need to better enable all of us within the province of Ontario to try to bring back our economy. These elected people are very close to the ground, good communicators, and can play a key role in bringing our economy back. Any approach—I mean, this goes without saying—has to be sensible, has to be pragmatic, at minimum, just to ensure that we can maintain that economic balance and, if anything, try to bring back a strong economy in the province of Ontario; and to better enable municipalities, as well as the provincial and federal levels, to continue to attract investment from those sources of money. Again, I think of the condos in downtown Toronto.

#### 1520

Red tape is my concern with this legislation—I mean, there's page after page of amendments. We know there is going to be a plethora of regulation coming with this, and if we vote for this legislation, the last thing we want to see is a plethora of bureaucratic red tape, rules and regulations, and forms to fill out. These municipalities do not have the resources to handle that kind of paper burden.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. John Vanthof:** I'm starting to get back into the rhythm of things. This morning, I wasn't too happy to be back, but right now it's kind of good to be back. It's always a pleasure to have an opportunity to comment on a bill—this is Bill 73—and follow the comments of the member for Haldimand—Norfolk.

Having listened closely to his comments, his area, although we're far removed geographically, is fairly similar to mine. There's not a lot of urban development in either of our areas; we're a small-town kind of folk and sometimes it's a bit harder to relate to this bill specifically. But there are parts of it that have an impact in his riding—he's mentioned it—and also have an impact in my riding, because we do have municipalities, they do have land use planning and they do have some challenges with the OMB.

I think that people throughout rural Ontario have had challenges truly believing—I don't mean this in a partisan sort of way—that this current government actually

listens to consultation from smaller areas. The Green Energy Act: We're in favour of green energy, but the way the Green Energy Act was implemented across rural Ontario, and now through northern Ontario, has created huge divisions. That's the opposite of what I think this bill is trying to do. This bill is trying to minimize divisions.

We are in support of this bill, but we are hoping this government is actually truly willing to try to minimize divisions instead of being fully willing to create huge controversies among rural Ontario.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Ms. Daiene Vernile:** I'm delighted to rise to speak to the House today on the issue of Bill 73, the Smart Growth for Our Communities Act.

For my region, Waterloo region, this bill matters, and I'll tell you why. Our regional chair, Ken Seiling, with whom I've had the opportunity, on a number of occasions, to sit down and chat at length about why this matters to him, has two things on his radar that he wants to see us advance: development charges and changes to the OMB process. He and our region are looking for a more workable process.

With respect to development charges in my region, allowing municipalities to raise revenue to pay for infrastructure is really critical at this time. You might have heard that we are building a light rail transit system, an LRT, in my region. The province has very generously committed \$300 million to that project. The regional portion will be better addressed by allowing municipalities to raise their own capital and direct that funding into projects like our LRT in Waterloo region.

My region is also very supportive of reforming the OMB process. There are times when appeals in my region have really hindered the ability of our municipality to get the job done and to get on with business. Growth has been a huge issue in Waterloo region, and funding transit and infrastructure is a very top priority for us.

These measures are going to streamline the process. It's going to allow my municipality and other municipalities across Ontario the opportunity to breathe. I'm proud to say that my regional chair, Ken Seiling, has been part of the consultation process; we appreciate his know-how. This act is something that municipalities need. They're asking for it; we're delivering it to them for better planning.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Monte McNaughton:** I'm happy to speak for a couple of minutes to Bill 73, the Smart Growth for Our Communities Act, and to speak after my colleague from Haldimand-Norfolk, who really put a lot of issues on the table regarding this bill. I'd also like to mention that our critic from Oxford county has done a good job in addressing some of the concerns that we have with Bill 73, which affects the Development Charges Act, 1997, and the Planning Act.

One of the things that we as a caucus and I know MPPs on all sides of the House heard strongly at AMO from municipalities was that the provincial government needs to listen to them and be a real partner. I can speak personally about my municipalities in Lambton-Kent-Middlesex. It's something that I continue to hear wherever I go in the riding, when I come across municipal leaders, regardless of municipality. I know that my colleagues and even a member from the third party have brought up the Green Energy Act today. It's continuing to divide municipalities, families and communities in rural Ontario. I know that the government heard a lot at AMO regarding the Green Energy Act. It's something that this government is going to have to address if they really want to have one Ontario, as the Premier likes to talk about.

While there are some positive changes in this bill, as I said, we've heard from a number of municipalities and municipal organizations that have concerns. For instance, municipalities have told us that the mandatory planning advisory committee for upper-tier municipalities won't work, and this is something that the Minister of Municipal Affairs and Housing is going to address.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Ms. Peggy Sattler:** I'm pleased to rise and offer some thoughts on the remarks that were presented to us by the member for Haldimand-Norfolk on Bill 73, the Smart Growth for Our Communities Act.

The member highlighted a couple of areas that I think are really significant. One—he concluded, actually, on this point—was about ensuring that there are not additional resource pressures on municipalities in terms of the reporting practices that might be put in place by this bill.

This was something that we heard from AMO. It has been clear that too many times the province has moved forward with new initiatives for school boards, or for municipalities, in this case, that impose significant reporting requirements. It is very important that there not be additional workloads or administrative burdens placed on municipal governments that are not funded as a result of adhering to this new legislation.

I also wanted to comment on development charges. One of the things that's very important for my municipality, the city of London, is ensuring that municipal councils retain flexibility in determining their own policies about development charge bylaws. That may be differential charges in certain settings or geographic areas of the community, but it also means that there should be more consideration for including more services as being eligible for development charges.

**The Acting Speaker (Mr. Ted Arnott):** That concludes our time for questions and comments, so I return to the member for Haldimand-Norfolk for his reply.

**Mr. Toby Barrett:** The member for Timiskaming-Cochrane: I spent some time up there this winter. I understand that the member spent some time in my riding



this summer. I think maybe I should go up there this summer. I haven't quite figured that out yet.

You've got some good agricultural land up there. You don't have much in the way of public transit. Public transit seems to be the taxi you get from the airport to wherever you're going.

In many of the areas, in New Liskeard and some of the towns, I get the impression that any development or redevelopment of existing buildings—you've got the footings; you've got the concrete and everything there—would be welcome with reasonable development charges.

**1530**

Kitchener Centre: Now there's, in contrast to New Liskeard, a high-growth area in Waterloo region—too much growth, I might say as a farmer. I just wonder if it's a little bit too fast. If you build a light rail transit system to Toronto, that's just going to encourage growth in your area.

**Ms. Daiene Vernile:** No, it's only in our region. It's not to Toronto.

**Mr. Toby Barrett:** Okay. Well, it may get to Toronto eventually. But I wonder if you're just going to encourage it.

Our member from Lambton-Kent-Middlesex, a former councillor: I listen to what he says. We have to listen to the municipal councillors. He used the example of the Green Energy Act. I would hope that, council by council across the great province of Ontario, they're having debates similar to this. I'm not sure. Maybe councillors really don't get too involved in the negotiations around charges.

The member for London West's presentation this afternoon: I found the 20 minutes really quite valuable. I share her concerns with respect to the administrative burden. We were hearing this at AMO this summer as well.

**The Acting Speaker (Mr. Ted Arnott):** Further debate?

**Ms. Catherine Fife:** What a pleasure it is to be back here in the House, is it not?

*Interjections.*

**Ms. Catherine Fife:** Yes, and also to be speaking to Bill 73. This piece of legislation has actually taken a long time to come here. It's been a long process and it had a lot of consultation—I think, actually, almost 18 months of consultation on this particular piece of legislation.

Obviously, Bill 73 is intended to give communities a greater say in how their communities grow. If many of you were at AMO this year, you would have heard councillors, wardens and Reeves from across the province express an interest in actually having some support, but not too much interference, in how those communities grow.

Interestingly, the issue of development charges was one of the first issues that our regional council brought to me as a new MPP. I think that there's a lot of discussion right now in the province of Ontario on how those development charges are collected, how they are spent and what is a level of accountability and transparency with regard to those funds. Certainly developers have had

a very strong voice in this province and have had a lot of influence on the discussion of how communities are planned for and how those communities grow.

Bill 73, the Smart Growth for Our Communities Act, amends the Development Charges Act to remove the arbitrary 10% discount that must be applied to transit-related growth costs when calculating development charges. It also allows the LG in Council, or the cabinet, to prescribe services whose costs shall be estimated based on future plans, not past policy, which of course is important for municipalities expanding services like transit, for which it currently must base the development charges on service standards that existed in the past.

Of course, this has been a major obstacle. For almost a decade I sat on the local school board, and it is really difficult to plan and budget for future growth. The hands of municipalities are tied in this regard. Also, I can honestly say that there needed to be greater communication between the school boards and the cities on planning for those community hubs that this government has talked about for years.

Of course, it is very difficult to create a community hub in a school that is set to close. It's unfortunate that the Ministry of Education amended the funding formula around students and how funding flows to school boards, because it makes it difficult for schools to actually stay open in communities. All of us have these issues in our ridings, because the value of that community school is actually not evaluated or supported at the provincial level. I do think that there is an opportunity to expand that conversation and ensure that municipalities have options. That's really what they were asking for.

Bill 73 also mentions that there are no more global appeals of official plans. So this is really interesting, because as the member from London West mentioned, Waterloo region is one of those test cases for how poorly the Ontario Municipal Board has operated in the province of Ontario.

Our regional council went about an extensive consultation process. We have a very engaged community in Waterloo region. They care about how their community grows, they hold their politicians to account like no other, and they were included and engaged in this process of where to intensify the growth as it related to the Places To Grow legislation. They bought in wholeheartedly. Part of that anchor was the LRT, and that LRT is going in right now. It was all coming in very well until the developers decided to take the regional level of government and their plan to the Ontario Municipal Board. At that time, the region of Waterloo had only planned for 83 hectares of growth. They had budgeted, because there is obviously a cost. When municipalities do not take in the infrastructure maintenance and upgrading cost—there's a cost to irresponsible planning. It's a reality. The developers won. They took their case to the OMB. Not only did they overrule the regional level of government, but they added almost 1,000 hectares to that growth plan. Now, imagine how the electorate felt at that point in time. This is one of the issues that Bill 73 does not address.

So, from our perspective, it's a missed opportunity, Mr. Speaker. Municipalities from the north to the south, the rural and urban, have been asking for some reform around the Ontario Municipal Board, because they do not like getting overruled. Those OMB members are unelected. Nobody holds them to account. They are appointed by the government of day. Fundamentally, the way the public sees this issue is as unfair. You actually can't blame them for feeling that way, Mr. Speaker.

The other weakness that we see for Bill 73—aside from, really, a fundamental missed opportunity in addressing structural reform in the Ontario Municipal Board—is the missed opportunity around affordable housing. You know, in this day and age—I mean, all of us have been paying close attention to the federal election. All of us know that the parties are focused on housing as an economic driver; as a much-needed infrastructure investment; as a poverty reduction standard, obviously; as supportive housing for those in our society who are on the margins and who do not have the financial supports to live independently. Housing pulls it all together. It is unfortunate that inclusionary zoning is not part of this legislation.

We actually heard a lot about it at AMO, at our independent meetings, and I know that the government heard it. I did actually ask the mayor of Mississauga at the time, “Where are you on inclusionary zoning?” The member from Parkdale–High Park has, I think, brought this piece of legislation in maybe five times now. Is it five times? Maybe the sixth time will be the charm. But the mayor of Mississauga said to me, “You know, we don't have any trouble with that. Just don't tie our hands on it, because that's a problem.” So they want that tool; they want the inclusionary zoning tool to be in their toolbox. This is not news. The government has heard this for a number of years. I don't fully understand the resistance to putting this tool on the table for municipalities, because they are looking for some flexibility in this regard.

Just a recent—I mean, obviously, the city of Toronto is not part of AMO, but on May 8, Councillor Layton and Councillor Ana Bailão moved the recommendation to Toronto city council that they “direct the city manager, the chief planner and executive director, city planning and the director of the affordable housing office to report to planning and growth management committee on a strategy to implement inclusionary zoning in the city of Toronto.” The city of Toronto is desperate for a tool so that they can meet a growing need for affordable housing—they are.

The second point of the recommendation of this motion was that “City council request the province, as part of Bill 73 Smart Growth for Our Communities Act, 2015, to make appropriate reforms to the Planning Act to include permissions for municipalities to enact inclusionary zoning for affordable housing of all types.”

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The city of Toronto wants the province of Ontario to come to the table. We support that. We support the inclusion of inclusionary zoning in Bill 73, the Smart

Growth for Our Communities Act. We are going to try to, obviously, make this piece of legislation stronger. What I don't understand is why inclusionary zoning was not included in the first place. This is not a new issue for the province, for the Liberal government of Ontario.

This motion goes on to say that the “Ontario Ministry of Municipal Affairs and Housing is currently undertaking three parallel public consultations impacting housing in municipalities”—the minister's here today—“the Long-Term Affordable Housing Strategy, Bill 73 Smart Growth for Our Communities Act, 2015 proposing changes to the Planning Act, and the Growth Plan for the Greater Golden Horseshoe.” Personally, I think that you should probably be looking at the Toronto housing corporation as well, and all that that entails.

The motion, actually, is really very strong, Mr. Speaker. It goes on to say, “Inclusionary zoning would empower the city to make responsible land use decisions that would have lasting benefits to the city and province. Inclusionary zoning allows us to build complete communities, it would help us to build a more affordable city and to overcome inequalities between communities.”

This is something that needs to happen in the province of Ontario. We can make a strong economic argument. We can make an environmental argument. There are justice issues and health care issues at play here. That is how powerful housing legislation is when you get it right. Bill 73 needs to be stronger on this issue.

It goes on to say, “Despite the city of Toronto's repeated requests for inclusionary zoning over the last decade, the province does not permit Ontario cities the authority to enact inclusionary zoning. Meanwhile, our city is desperately in need of more affordable housing.

“Inclusionary zoning would empower the city to require developers to include a percentage of affordable housing units in residential developments with over 20 units and in return they could receive fast-tracked approvals and other incentives. This would help us to create a steady and growing supply of affordable rent and affordable home ownership units across the city, building and fostering mixed-income neighbourhoods and providing our residents with more equal access to resources and opportunities.”

This is how you build strong cities. If you build strong cities, if you empower cities to meet the needs of their constituents, you have a stronger democracy. When you have stronger cities, you have a stronger province. When you have a stronger province, we have a stronger country. That is how powerful getting progressive planning practices right, that is how powerful getting housing policy right can be.

I know that the members on the other side of the House have heard this. I know that the minister understands how inclusionary zoning works. I know that he has heard it for years. I know that his community, his constituency would benefit from inclusionary zoning. And yet, Bill 73, the Smart Growth for Our Communities Act, 2015, does not include inclusionary zoning.



I get a little tired of this. I just don't understand why you would not craft a piece of legislation at the first and make it as strong as you can. If you had this piece in it, you would take a major avenue of criticism out. Of course, when it gets to committee, we're going to try to make sure that inclusionary zoning is included.

But just to recap, this motion was brought by Councillor Layton and seconded by Councillor Ana Bailão on May 8, 2015, so this just happened in the spring. This is a current motion. This is the biggest city in the country asking the province to get behind a proven method of building affordable housing, creating greater equality in our communities, mixed-node growth, and for some reason, it's missing. I'm always interested to hear how the government is going to respond to this, but I have to tell you, while there are some good things in this bill, there's always something that has made its way through, year after year after year, which is actually pretty strong.

The United Nations, just in June, came out and criticized this country, and thus these provinces, for failing on affordable housing. You would never meet your poverty reduction standards—or targets, if you had targets—without a progressive, affordable housing strategy.

The motion goes on to say, "The Ministry of Municipal Affairs and Housing is currently undertaking a review of the Growth Plan for the Greater Golden Horseshoe and the Greenbelt Plan. These plans aim to manage the rapid population growth and employment growth in Ontario. Any growth strategy must include provisions for the need for affordable housing."

This is why housing connects everything in the province. You have people who can no longer afford to live in the core of Toronto unless those housing stocks are so dilapidated and they're just holding on to those rental spaces. When those people leave those rental spaces, then the population of the local school drops to the point where you no longer have the funding to keep those programs and those schools viable. Therefore, that school then closes, and then the government comes out and says, "We want to create community hubs in high-needs areas." You can't do that because you don't have the housing, you don't have the students, you don't have the families and you don't have the tipping point to create stronger community hubs which are more equal and more prosperous and safer. That is the power of housing, and that is missing from Bill 73, which is most unfortunate.

There does appear, though—with this motion, there's a bit of hope. There's a little bit of light at the end of the tunnel here, because the motion goes on to say, "There appears to be an appetite for inclusionary zoning from some members of provincial Parliament and across political party lines"—and I do believe that. You know how I know that that exists? Because one of their own members, the member from Etobicoke–Lakeshore, introduced Bill 39. It's interesting, because Bill 73 is far less ambitious than Bill 39—and that member is from Etobicoke–Lakeshore; he's not here right now—and we

did support that bill. We supported that bill, but we complained that it should have been part of the government's bill.

This is also a disturbing little pattern here. Individual members on that side of the House have great knowledge. This member from Etobicoke–Lakeshore was a councillor, so he understood the challenges that municipalities have in working with the province, and he brought forward this private member's bill to address the gap, if you will, in knowledge and political will and funding so that municipalities don't have their hands tied on creating affordable, accessible housing. When he brought this forward, nothing happened with that. That private member's bill is just going to sit there. The strongest parts of the member from Etobicoke–Lakeshore's bill are not contained in Bill 73. The government, for some reason, ignored one of their own members and the recommendations that he had in that legislation which would make this piece of legislation stronger. For us, that doesn't make any sense.

However, that goodwill is still there. There are still people in all of these parties who recognize the value of inclusionary zoning. They like that idea because there isn't any cost to the province. So if the President of the Treasury Board is looking at ways to stimulate the economy and strengthen communities and address poverty, then the best way to do that is to ensure that municipalities have the flexibility to actually act upon the goals of those said policies around poverty reduction.

This motion ends by saying, "The city should make sure it is in a position to implement inclusionary zoning as soon as permission is granted so that there is no delay in taking action to build a more affordable city." I would add: "when the province creates a piece of legislation that allows the city of Toronto to actually follow through on that mandate."

AMO is a major player, obviously. We all were in beautiful Niagara Falls this summer. We all had the opportunity to sit down and listen to our local counterparts from across the province, and we have a responsibility to act on what we heard.

For me, this is my third anniversary of standing in this House—

**Hon. Steven Del Duca:** Mine too.

**Ms. Catherine Fife:**—yes, as well as the member for Vaughan's.

Every year I go back there, and it's beginning to feel a little bit like Groundhog Day at AMO, because we hear the same things over and over again.

However, this year, there was a little bit of an edge, I must say. The municipalities, I think, have reached the end of their rope with the talk and with the conversation and the consultation. There was a little bit of an edge, and you can tell that that's reflected as they respond to Bill 73.

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This is from AMO's web page and from their response to Bill 73. It says: "AMO remains concerned that growth is not adequately paying for growth." The planning

process is not responsive enough to actually afford the kind of growth that the province is asking of municipalities.

"Provincial plans must be better coordinated, with clear time frames for review"—that goes without saying.

"Under Bill 73, changes that limit appeals, require more rationale for appeals, and require the OMB to 'have regard' for municipal decisions" are a step in the right direction. But the language of "having regard"—so the Ontario Municipal Board, an unelected, unaccountable group of people, must "have regard" for municipalities that are duly elected by the electorate and who are responsive and engaged with the electorate?

So Bill 73 misses a much-needed opportunity to do some true reform of the Ontario Municipal Board. I think I made my point clear on how I feel about inclusionary zoning and why it needs to be part of this legislation. I hope, as this piece of legislation moves forward, that the government is receptive to incorporating some of the ideas that we have put forward that would make a difference to the people of this province.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Lorenzo Berardinetti:** I listened very carefully to the comments from the member from Kitchener-Waterloo. I know that she mentioned a number of things that could be improved in this bill. Part of the process here is that the opposition speaks to the government in debates to hold us accountable in this Legislature. We do go to committee, and hopefully the minister will bring this bill to committee and have substantial discussion at committee. Because some of the points that were brought up by the member for Kitchener-Waterloo are valid, but I only have about a minute and a half to address them.

I think, first of all, this piece of legislation is very important. I spent nine years as a city of Scarborough councillor and another six years as a city of Toronto councillor, and planning was everywhere. When I first got on city council in 1988, council was deciding minor things like minor variances, so we'd hear it during the planning committee, and then we'd have another full hearing at the city council. So we were backlogged with minor variances and zoning applications, and then every five years we'd have to update our official plan. I had an opportunity to be on the city of Toronto council when we updated that plan. It was a very, very complicated discussion and I think the majority won out. There were a lot of people who were unhappy on council.

Just in the few minutes, I want to say that this bill is very important in both the development charges and in the Planning Act. It got to some point on city council where councillors who had a development in their riding, a big one, would bully the developer, saying where the money—the development charges—should go. Sometimes it had nothing to do with the building itself. It would leave a lot of people frustrated at the end of the day.

I think that when this goes to committee, it will have a chance to be debated properly. Unfortunately, my two minutes are up. I wish I had more time.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Toby Barrett:** The member for Kitchener-Waterloo made reference to ideas picked up at the Niagara Falls AMO conference. There was a thread—you know, we've all got to work together and costs must be manageable and funding has to be predictable, something we hear from the farm community as well. All three levels of government have to operate and continue to operate through mutual respect to be effective and to strive to be financially sound.

I know that the president of AMO, Gary McNamara—I didn't hear his speech, but I took a look at a transcript. It was a bit of a hard-hitting speech, talking about the money side of it. He indicated that, sure, the province wants to work with municipalities to achieve better outcomes, but the interpretation from the province to achieve better outcomes oftentimes comes at the expense of the municipality. That's been a kind of burr under the saddle for many, many years.

In his address, McNamara brought out some figures. He indicated that provincial and federal governments receive four to five times more tax revenue than municipalities, as far as their share. Municipalities comprise about nine cents out of every household tax dollar. They make it clear that they have a revenue problem. I do not feel that the province of Ontario has a revenue problem, and for that matter, the federal government doesn't have a revenue problem.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Percy Hatfield:** It's a pleasure to be back in the House after our short summer break, and a pleasure to stand here as one of 107 voices, speaking on behalf of the citizens in Windsor-Tecumseh.

Following the comments of my colleague from Kitchener-Waterloo and my friend from Haldimand-Norfolk, when we were at AMO I certainly heard the president of AMO, Gary McNamara, the mayor of Tecumseh, lay out a warning to the Liberal government: "No more nudge-nudge, wink-wink, we're on side with you," and then, as soon as the election was over last year, they broke the promise to fix joint and several liability. It's driving up costs for municipalities. You can't have smart growth if you keep getting sued and have to pay the price for somebody else because they say you have deep pockets. You're 1% responsible, and those that are 99% responsible don't have any money.

There was a sacred trust that was broken, a handshake agreement that was reneged on, and the president of AMO and mayors and councillors across this great province have put the Liberal government on notice: "No more of this stuff. We've got to be working together if we're going to grow Ontario in a smart way and have smart growth." That's the message I heard at AMO.

If any of the Liberals weren't at AMO, I went to their web page today and all the addresses are on their web page. Go and watch the president of AMO, Gary McNamara. Go and watch his speech and tell me if you



don't think he gave you guys a warning. You're not living up to your word, you're not living up to your promises and AMO has put you on notice. They're not going to stand for that anymore.

**The Acting Speaker (Mr. Ted Arnott):** We have time for one last question or comment.

**Mr. Lou Rinaldi:** Speaker, I just want to make a couple of comments to clear up a few things. I've heard a couple of things this afternoon from both opposition parties, and just to put it in perspective, Ontario is the only province or territory in this country that meets on a monthly basis with AMO to talk about joint issues. We don't always agree on everything. I have the pleasure of attending those meetings—they're closed-session meetings with the minister. Yes, we don't agree on everything, but it's the only province in Canada that has that kind of relationship with municipalities. It isn't a dictatorial commitment that the former government did.

I just want to touch on a couple of other things to clarify the air a little bit. One is that we've heard, not necessarily from the previous speaker but from the official opposition, that we lack consultation; we need to do more consultation. Speaker, just for the record, more than 20 public workshops and stakeholder meetings were held from October 2013 to January 2014. We received more than 1,200 submissions. We also held a webinar and other submissions through mail.

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That's why we're debating this here today. But to take that kind of approach, that we're not listening and we're not consulting with AMO—that's totally off base.

**Hon. Ted McMeekin:** We meet with them once a month.

**Mr. Lou Rinaldi:** Once a month, Speaker: You know, it's the only province in this country that has that relationship with municipalities. The other piece—oh, I guess I'm running out of time. I'll just say that's why we're having this debate. We're listening, and I'm sure at the end of the day—I hear the NDP are going to support it, which I'm delighted to hear.

**The Acting Speaker (Mr. Ted Arnott):** That concludes our questions and comments.

I return to the member for Kitchener–Waterloo for her reply.

**Ms. Catherine Fife:** Well, to the last speaker, the member from Northumberland–Quinte West: You will not hear from us that you need to consult more. This took a year and a half and it's missing the major points that your own member brought to it in Bill 39. We're going to try to get your member's components and ideas embedded in the government bill, so thank you for that. That criticism came from the other party.

To the members from Scarborough Southwest, Haldimand–Norfolk and Windsor–Tecumseh: As always, thank you for raising the ire that AMO had for this government on housing. It wasn't just as it relates to planning and tying the hands of municipalities; it actually has more to do, and more so than any other year, with the

cost of maintenance of the affordable housing units that they have within their own communities.

If you think about this, this is a long-standing issue that AMO has brought to the government. Think about this: We have already invested in that housing. That housing stock has already been paid for by the people of this province. It would be short-sighted for us not to take better care of it. In order for us, meaning municipalities, to take better care of it, they need the province to partner with them.

Just as a final thing, ACORN's major complaint about this legislation is that it does not include anything for affordable housing. You can't have progressive planning for smart growth in communities and leave affordable housing out of the equation.

Just to go back to Mr. Layton's motion on inclusionary zoning: This would empower the city of Toronto to require developers to include a percentage of affordable housing units in residential developments with over 20 units. In return they could receive fast-tracked approvals and other incentives.

This is a revenue-neutral recommendation for the government. This needs to be a part of Bill 73, Smart Growth for Our Communities Act. We'll be fighting for it at committee to get it included in there.

**The Acting Speaker (Mr. Ted Arnott):** Further debate.

**Mrs. Kathryn McGarry:** I'll be sharing my time with the member from Ottawa South.

It's always a pleasure to rise in this place on behalf of Cambridge citizens to speak today to Bill 73, the proposed Smart Growth for Our Communities Act, which proposes changes to the Planning Act and to the Development Charges Act, 1997.

In my community of Cambridge there's very good citizen engagement on planning-related issues. Citizens are engaged in seeing what's going to come out of this bill. I know that there's great hope that it will be improved upon. I myself sat on many planning-related issues and task forces before I was elected so it's certainly something that I'm very happy to weigh in on.

This bill, if passed, would ensure that the development charges and land use planning and appeal systems are more predictable, transparent, cost-effective and that they better meet the needs of the stakeholders as well as the communities. The proposed amendments to the Planning Act focus on enhancing citizen engagement, achieving more predictability, supporting municipal leadership and protecting long-term public interests.

Amendments to the Development Charges Act, 1997, will focus on providing the ability for municipalities to raise revenue for key growth-related infrastructure—for example, transit—and enhance accountability and transparency regarding the collection and spending of development charge reserve funds.

The feedback from a public consultation that was conducted from October 2013 to January 2014 informed the proposed changes to the Development Charges Act, 1997, and the Planning Act. Some of the proposed

amendments are going to address things like increasing funding for growth-related infrastructure. Removing the mandatory 10% discount required when levying a charge for transit service will certainly help municipalities that are looking to find ways of increasing revenue, to ensure that their communities can weigh in and have some more transit-related issues—certainly, something I heard a lot about at the AMO and ROMA conferences recently.

It will also enhance the transparency and accountability. It will require municipalities to reflect capital projects funded through development charges in a very detailed report. It will also link development charges to municipal asset management plans, which is very important to municipalities across Ontario. Certainly, it's important to my communities of Cambridge and North Dumfries township.

It will require development charges to be set as of the date that an initial building permit is issued for buildings, even those requiring multiple permits. One criticism I've heard from developers over the years of sitting on many planning-related issues is about the lack of streamlining when it comes to addressing putting in an initial proposal, from a heritage impact assessment or what's going to go on in the future. This will certainly help to streamline the process for developers, as well as municipalities, and get on with the project at hand in a much more time-sensitive manner.

This bill will also restrict payments outside the development charges regime for the capital costs that are associated with servicing new development, and it will require municipal treasurers to certify that no payments have been received that are in contravention of this restriction. It will also create an authority for the Minister of Municipal Affairs and Housing to investigate any municipality in relation to its compliance with this act. It will also create an authority for the Minister of Municipal Affairs and Housing to require a municipality to cover the cost of a compliance investigation, something that will certainly help to solidify the municipalities in doing things in an open and transparent manner.

Another thing that I really was pleased to see in this particular proposed bill was the enhanced citizen engagement. Speaker, I sat on many community groups, not-for-profits etc. dealing with planning-related issues, heritage matters, and found that the one issue that they really complained about in any development application process was that once they got to a public information session, they felt that it was too quick, that the messages were key messages that were brought across to the meeting and that the citizens really had no meaningful debate or commentary on these issues. I know that many interested citizens and community members that I dealt with in Cambridge and North Dumfries would often say that it seems to be a line item on a list of things the developer has to tick off. They had the public information meeting; they ticked it off; they went away. They took no notice of what was said by the citizens when it came to that planning-related issue that they wanted to weigh in on.

This proposed bill will require municipalities and approval authorities to explain how public input affected their planning decision.

It will also require the municipal official plans to include locally designed public consultation policies, which I find very effective, because not every municipality, as we know, is created alike. I come from a municipality that's part urban, part rural, and the citizens often approach their planning issues in a bit of a different way. So this helps to individualize what's going to work for that particular community.

I'm also pleased to see that there will be increased use of planning advisory committees, and it will ensure that citizen membership on these committees is robust and that they actually have a voice.

I'm also pleased to see that there's going to be increased local decision-making and accountability. Renaming the development permit system as the community planning permit system really cements and underlines the fact that this government is listening to the citizens of Ontario and putting in more opportunities for citizens to be engaged in the planning of their communities. It will prevent applicant-initiated amendments to it for five years, in order to facilitate implementation of the system. It will also provide municipalities more time to resolve disputes locally, which is where it should be done.

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Another real benefit to this proposed bill is to increase certainty and stability, and reduce costs. When any municipality embarks on making a new official plan or reviewing their current plan every five years, it's a significant cost and time effort that really underscores the fact that having it reviewed on a 10-year, rather than five-year, basis will really assist the municipality to get through the process in a timely manner. It will limit approvals or appeals from a lower-tier official plan, unless it conforms to the upper-tier official plan.

One other issue that happened in Waterloo region was that Waterloo region embarked on its ROP, its regional official plan, a few years ago. It was appealed and taken to the OMB. That held up several developers from being able to get on with their planning-related projects and cost the citizens and the developers in terms of time and the ability to get on with these.

I'm very happy to see that this particular proposed bill will remove the ability for appellants to appeal an entire new official plan. I think that that's going to certainly streamline the process and allow the developers to get on with their approved projects and get these things built. It will also prohibit appeals when municipalities are implementing specific provincially approved matters into their own official plans. That will certainly help.

The last thing that I really am very pleased to see in this bill is a stakeholder working group that would be relating to the Planning Act. A stakeholder working group would be established to provide recommendations on these issues we've been talking about, issues regarding the definition of minor variance, regulation



standards for notices, and regulation standards for public engagement.

To wrap up, Speaker, I really do support Bill 73. Our reforms to the Planning Act and the Development Charges Act would make sure that growth in Ontario is managed smartly. We are proposing changes to the tools and processes that communities and citizens can use to determine how their neighbourhoods grow and to plan and pay for this growth, which is certainly important to my constituents in Cambridge and North Dumfries township. It will mean that our proposed amendments would give residents a greater, more meaningful say in how their communities grow, would make the planning and appeals process more predictable, would give municipalities more independence and would make it easier to resolve disputes at the community level.

I thank you for your time, Speaker.

**The Acting Speaker (Mr. Ted Arnott):** The member for Ottawa South has the floor.

**Mr. John Fraser:** I would like to say that it is great to be back here in the Legislature. I want you all to know that I missed you greatly. It actually feels like we never left. Anyway, I just wanted to put that greeting out to everybody.

It's a pleasure to speak to Bill 73 today.

*Interjections.*

**Mr. John Fraser:** Thank you. You're so kind.

Bill 73: the Smart Growth for Our Communities Act: This bill is an important bill because it talks about how we're going to grow, build and develop our communities, and also how we are going to engage the population, the people who we serve, in the process of that happening. There are some very important changes here.

Just as a summary for Bill 73: It changes two acts, the Planning Act and the Development Charges Act. The bill, if passed, would ensure that development charges and land use planning and appeal systems are more predictable, transparent, cost-effective and better meet the needs of stakeholders, families and communities.

Amendments to the Planning Act focus on enhancing citizen engagement, as I mentioned before, achieving more predictability, supporting municipal leadership and protecting long-term public interests.

Amendments to the Development Charges Act focus on providing the ability for municipalities to raise revenue for key growth-related infrastructure—things like transit—and enhance accountability and transparency regarding the collection and spending of development charge reserve funds.

The feedback from the public consultation, I understand from talking to the minister—I'd like to congratulate him for bringing forward this bill. A bit short of 17,000 people were consulted, and as the member for Kitchener—Waterloo mentioned earlier, it has been a big, long process in getting here. That's reflected, I believe, in the bill.

The feedback from the public consultations from October 2013 through to January 2014 is reflected in this bill. It increases funding for growth-related infrastruc-

ture. Most importantly, in relation to the Development Charges Act, it enhances transparency and accountability. It will:

- require municipalities to reflect capital projects funded through development charges in a detailed report;

- link development charges to municipal asset management planning;

- require development charges to be set as of the date that the initial building permit is issued for the buildings that require multiple permits;

- restrict payments outside the development charges regime for the capital costs associated with servicing new developments and require municipal treasurers to certify that no payments have been received that are in contravention of this restriction; and

- create authority for the Minister of Municipal Affairs and Housing to investigate a municipality for compliance, and also the authority to compel the municipality to pay for those compliance investigations.

My colleague mentioned the stakeholder working group for development charges. The government will establish a working group of key stakeholders to support potential regulatory amendments and to review substantive issues that were not addressed during the consultation period, such as:

- a planned service level for transit services and if a planned service level should be considered for other services;

- a review of ineligible services to determine if they should be made eligible for development charges;

- the potential to remove the mandatory discount of 10% from services beyond transit; and

- the potential implementation of mandatory area rating or differentiated development charges to encourage intensification.

With regard to the Planning Act, the bill, if passed, would increase municipal transparency by requiring detailed reporting for municipal collection of density bonusing and parkland fees; change the alternative parkland dedication rate for cash-in-lieu payments to incent the acquisition of physical parkland; and require more municipalities to prepare park plans, in consultation with school boards and the public, in order to facilitate planning for parkland/green space and park facilities.

That's an important point because inside municipalities we can often miss the boat in terms of connecting with other publicly funded entities, like schools, and ensuring that we have enough green space around them so that we can have use for the school and for the community that surrounds the school.

We mentioned earlier that it will enhance citizen engagement through requiring municipalities and approval authorities to explain how public input affected their planning decision; require municipal official plans to include locally designed public consultation policies; and increase the use of planning advisory committees and ensure citizen membership on these committees.

It will also increase local decision-making accountability by renaming the development permit system as

the community planning permit system and prevent applicant-initiated amendments to it for five years in order to facilitate implementation of the system—this will require some regulation; and providing municipalities with more time to resolve disputes locally.

It will increase certainty and stability and reduce costs. It will:

- provide for new official plans to be reviewed on a 10-year cycle rather than five years;

- prohibit privately initiated amendments for two years after new official plans and zoning bylaws come into effect;

- limit approvals and/or appeals of a lower-tier official plan or official plan update unless it conforms to the upper-tier official plan, both in-effect and adopted policies;

- remove the requirement for municipalities to review employment land policies as part of their official plan reviews; and

- extend the provincial policy statement review time frame from five years to 10.

In terms of resolving disputes, it will:

- prohibit appeals when municipalities are implementing specific provincially approved matters into their official plans;

- remove the ability to appeal policies authorizing residential second units at the time of official plan updates;

- require appellants to provide clearer reasons for appeals;

- remove the ability for appellants to appeal an entire new official plan;

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- provide enhanced opportunities for alternative dispute resolution; and

- remove the ability for proponents to apply for a minor variance for two years after a site-specific rezoning without council approval.

I listened very closely to the member from Kitchener-Waterloo, who spoke and made some very good points. I did recognize that she felt that the legislation was strong in some areas and she was supportive of it. I appreciate that very much.

I believe very strongly that this legislation creates some balance between those forces that exist in the development of our communities, which are the need for planning and public and citizen engagement as well as the ability to make sure there is a clear process for those people who invest in developing our communities. For that reason, Mr. Speaker, I'm proud to support Bill 73.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Bill Walker:** It's a pleasure to provide some comment on Bill 73 once again. I'm going to be speaking a little bit later, but I'll just comment a little bit, particularly on a comment made by the member from Cambridge. She was suggesting that there were concerns about holdups with regard to development.

It's a bit contradictory, because one of my municipalities, Grey county, has voiced its concern with certain parts of Bill 73. One of those is that there's a two-year freeze period for applications to amend an official plan or a zoning bylaw following the adoption of a new official plan—subsection 22(2.1)—or the global replacement of a municipality's zoning bylaws—subsection 34(10.0.0.1). They're concerned, again, that there is going to be a limitation. What if someone came along within that two-year period who wanted to develop and they couldn't do that? The challenge would be that we want to make sure people have expedited time to do this.

I'm going to reflect again that one of the key things would be that if they had provided some consultation time with the actual stakeholders, perhaps this wouldn't have been so contradictory and we would have been able to have good, effective legislation right off the kick.

It brings me back to a couple of other pieces of legislation where, again, I don't believe this government has really listened to the people and the stakeholders. The Green Energy Act: They usurped and took away all powers of local municipalities to be able to have a say in something that's going to hugely impact their communities. The Hydro One fire sale: We already have, I believe, 185,000 constituents saying they don't want this to happen—no consultation there. The ORPP, the Ontario Retirement Pension Plan: Again, a number of stakeholder groups out there are saying this is a bad idea. There's no consultation. They just speed these things through.

I believe, as I said earlier today, the minister's mandate letter was that there was supposed to be a review of the Development Charges Act, yet they brought this legislation through before even doing the review.

They're supposed to review the greenbelt, the Niagara escarpment, the Oak Ridges moraine and the OMB, and none of those have been completed, yet we have legislation again being forced upon the users, with a lot of challenges, a lot of confusion and a lot of contradictory information.

On principle, I relatively like that we're going to do the review, but we needed to have done that before enacting the legislation.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Percy Hatfield:** It's again a pleasure to stand this afternoon and make comments on this proposed bill and to comment on the comments that were made by the member from Ottawa South and the member from Cambridge. Both expressed the view that there has been a lot of consultation on this bill. That's a positive thing, when you go out and consult with people.

When you reflect on the bill, however—let me just zero in for a moment on one aspect of it, inclusionary zoning, and credit the member from Etobicoke-Lakeshore, a former city councillor in Toronto, for his private member's bill which would include inclusionary zoning, and also credit the former member from Trinity-Spadina, the former member from Beaches-East York



and the current member from Parkdale–High Park, Ms. DiNovo, as well as Mr. Marchese and Mr. Prue. All had, over the years—Ms. DiNovo, five times—inclusionary zoning private members' bills adopted and sent to committee, and there they languished. Mr. Milczyn from Etobicoke–Lakeshore has one there now on inclusionary zoning.

Everybody agrees it's a good idea, but it isn't part of this bill. So in all of your consultation, why isn't your own member from Etobicoke–Lakeshore's private member's bill included in the smart growth act? I don't get it. Everybody says it's a good idea. Now is the perfect opportunity to make it happen. You've accepted all of the NDP ideas before. Use them as your own. Take full credit for the idea, but put it in the bill. It will help with the homelessness problem, it will help with the housing crisis in Ontario, especially in Toronto where we have so many members of the Liberal government representing ridings. This will help you. Put it in the bill. Take some credit for it.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Hon. Bill Mauro:** I want to thank our members from Ottawa South and Cambridge for their comments. I want to thank the Minister of Municipal Affairs and Housing for bringing forward Bill 73 and talk a little bit, actually, about the relationship that I think this speaks to between the government and the municipalities.

I've been in the House for over an hour. I heard some of the comments from previous speakers relating to this legislation, relating to the relationship between our government and the municipal sector, and consultation or lack thereof. A number of us here were elected for the first time back in 2003, going on concluding 12 years for me and a number of others who are here. I think it's fair to say that a number of us ran for provincial politics because before that we were in the municipal sector as elected municipal councillors. I think those of us who came to this place remember very well the relationship that existed—or did not exist, one could say—between the government of the day and the municipal sector.

I remember several key examples where they left me shaking my head in terms of some of the things that were contemplated. So I think it's important to recognize that this particular piece of legislation that directly impacts the municipal sector—all the mayors, reeves and county wardens out there—to let people know that before anything like this that touches on them so significantly it has almost certainly gone through significant consultation with the municipal sector.

In fact, when the minister was here previously, we were talking about the AMO round table that we set up. It was a commitment back in 2003. We set it up, and any legislation that directly impacts on the municipal sector goes through significant consultation and goes through the AMO round table that the minister meets and hosts once a month. That process has been in place for quite some time now. I can tell you that this particular legislation has seen the light of day through that process

as well. Before it gets to the floor of this chamber, you can be sure that the municipal sector has had plenty of opportunity to comment on it. Speaker, I thank you for your time.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Monte McNaughton:** Again, it's an honour to rise and speak for a couple of minutes regarding Bill 73.

I'd like to read some comments in a news release from the Ontario Home Builders' Association regarding Bill 73: "The Minister of Municipal Affairs and Housing announced proposed changes to the Development Charges Act and the Planning Act that expand the ability of municipalities to use new revenue tools to pay for transit and enhance community engagement in the planning process." The OHBA "is concerned that new transit taxes on development will disproportionately increase housing costs for residents and the cost of setting up new businesses.

"This cannot be a piling on of higher taxes to pay for municipalities' infrastructure programs.... New neighbours ultimately pay every new tax generated by government. If municipalities believe that transit is the priority project, they have a responsibility to be accountable, transparent and fair in how they determine the entire tax bill that falls on the back of new home buyers and businesses."

There was also a concern raised by AMO. Of course, I said earlier that we heard that, all members did, at the AMO conference recently. AMO has said that elements of the bill are problematic. It goes on to say that AMO objects to the requirement for an upper-tier planning advisory committee with at least one member of the public. The mandatory PAC will create more issues than it resolves. This was a requirement of the Planning Act in the 1970s and 1980s, but PACs were deemed not to be effective on a broad basis and made discretionary.

I wanted to read these comments into Hansard to ensure that the government is aware what some of the stakeholders are saying about this legislation.

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**The Acting Speaker (Mr. Ted Arnott):** That concludes our opportunities for questions and comments. One of the government members can respond.

**Mrs. Kathryn McGarry:** It's been interesting for the last little while to hear from members from Ottawa South, Bruce–Grey–Owen Sound, Windsor–Tecumseh, the Minister of Natural Resources and Forestry, and the member from Lambton–Kent–Middlesex. I appreciate the comments. I think you can hear through the commentary that we've heard in the House this afternoon how much interest there is about this proposed Bill 73 among many constituents in Ontario. It's interesting.

I just really wanted to reiterate that the fact is the proposed changes to the Development Charges Act, 1997, and the Planning Act actually came from public consultation that was conducted from October 2013 to January 2014. That feedback really did help to inform what we have in front of us. The reforms are also based

on recommendations from the review of land use planning and appeal and also the development charges systems.

I just also wanted to point out that we'll be setting up working groups of stakeholders to review further the complex development charges issues, taking a considered look at what the proposals are, at the land use planning elements, and propose some of the solutions.

I'm very happy that the proposed changes aim to give the municipalities more opportunities to fund growth-related infrastructure like transit and waste diversion—certainly, key topics of interest at the recent AMO and ROMA conferences that we had earlier this year and something that I hear from my mayors a fair bit. Also, it would make development charges—section 37, density bonusing and parkland dedication systems—more predictable, transparent and accountable, something that we certainly all do support. Thank you very much for your comments today.

**The Acting Speaker (Mr. Ted Arnott):** Before I call for further debate, I need to read this to the House.

Pursuant to standing order 47(c), I am now required to interrupt the proceedings and announce that there have been more than six and one half hours of debate on the motion for second reading of this bill. This debate will therefore be deemed adjourned unless the government House leader or his designate specifies otherwise.

I recognize the Minister of Natural Resources and Forestry.

**Hon. Bill Mauro:** We do wish for debate to continue, Speaker.

**The Acting Speaker (Mr. Ted Arnott):** Further debate?

**Mr. Bill Walker:** Thank you, Mr. House leader, for allowing me to continue. I've worked very hard on this file. Bill 73, Smart Growth for Our Communities Act, is a very important bill. The objective of this legislation should be to ensure that families can have a new home and new businesses can be built and create jobs while controlling sprawl, protecting our environment and preserving prime agricultural land.

We're disappointed that this bill puts legislation before consultation. I've said that a couple of times already in this House. I'm going to spend a bit more of my 20 minutes now to talk about that. As part of the minister's mandate letter, he was tasked with conducting a full review of the Ontario Municipal Board, but this bill has tabled a number of changes to the board before the review has even been conducted.

The province indicated that they want to have conversation, consultation, and I believe that the Liberals like to use these words interchangeably often. What we want to see at some point is action that, sadly, is lacking. The province has indicated that Bill 73 would give residents more say in how their communities grow, would set out clear rules for land use planning, give municipalities more independence to make local decisions, and also make it easier to resolve disputes through a so-called community planning permit system.

Mr. Speaker, forgive me if I seem a little bit cynical, but I wonder if there will be any more consideration in regard to the location of wind turbines, seeing as the Liberal government took power away from municipalities for something like this, a planning issue in all of our municipalities across Ontario. They took the ability from municipalities to even have a say in that. I struggle when they come out with new legislation saying that they're going to give all of this say and all this input, again reflecting on how they've rammed the legislation through before they actually finish the review of the OMB.

Municipalities will levy development charges to recover the capital costs in providing municipal services to new housing subdivisions and developments, i.e. roads, sidewalks, sewers and waterlines. In 1997, the province put strict limits on the funds municipalities could recover through development charges. AMO says that \$550 million in growth-related costs went from developers to taxpayers with this change. Development charges represent about 15% of total municipal capital funding for most communities.

I'm disappointed that Bill 73 puts legislation before consultation. We've seen this over and over again, Mr. Speaker. Just recently, the fire sale of Hydro One—a lot of people are coming out against that. They want to be heard. They want their voice heard before this happens. The government seems to be steamrolling. I've already said earlier with the Green Energy Act—a very similar lack of consultation. The Ontario Retirement Pension Plan is another one of those that significant groups—the Canadian Federation of Independent Business came out, the chamber of commerce has come out, saying that this is bad, that small business is worried significantly about that. Where has the consultation been? Where is the ability to have their voice heard?

In this case, the greenbelt, the Niagara Escarpment, the Oak Ridges moraine were all supposed to be completed, along with a review of the Ontario Municipal Board. However, they've now put legislation forward without any of those being actually completed. So again, Mr. Speaker, when they say that they want to have the conversation, that they want to have consultation, it's very challenging for me when they actually bring the legislation forward before those are completed.

We're very concerned that there's going to be more red tape in the governance of municipalities in Ontario. Again, similar to small business, large business—we're hearing of more and more red tape that is stifling their ability to be as productive as possible, challenging them to spend more and more precious hours doing paperwork, administration and bureaucracy than actually working with their customers and clients.

Development charges are and should be a balance between encouraging economic activity and ensuring that municipalities have the funds to provide services for added growth. While we support funding transit, we have concerns that this act may allow development charges to be increased so much that it actually slows down economic growth.



Our primary focus remains, in our party, balancing the budget and returning Ontario to financial prosperity. This economic growth would benefit our municipal partners as well, as long as we're allowing them to move forward in an expedited, balanced manner to ensure that there's more growth, there are more jobs, and thus, the creation of a sustainable economy.

As the government minister heard at the recent AMO conference and at the Ontario Good Roads Association earlier this year, a number of municipalities feel that the proposed changes to the Development Charges Act and the Planning Act could be more of a roadblock than a benefit to development. Again, you would have thought that they would have had wide, broad consultation and ensured that all of the thought that they are putting into this would have actually allowed for a smoother system, a more precise system, that everybody understood and could move forward with, that there wasn't confusion, there wasn't contradiction. I'm going to talk about those in a few minutes, Mr. Speaker.

You want legislation to be actually valid for all of the users. They want to consult them and make sure that we're not putting things in, even inadvertently. We can all make mistakes, but if you had done proper consultation, if you had spent the time out in the communities, talking to the municipalities and not just a couple of hand-chosen people to say you're consulting—like was done in many of our educational files—then we could have truly said that we had consultation.

In my great riding of Bruce-Grey-Owen Sound, Grey county has actually voiced its concerns with certain parts of Bill 73. Namely, the consensus is that everyone is concerned that the new official plans cannot be amended for two years after being approved unless initiated by the municipality itself.

Concern number one is raised: a two-year freeze period for applications to amend an official plan or zoning bylaw following the adoption of a new official plan, subsection 22(2.1), or the replacement update of a municipality's zoning bylaw, subsection 34(10.0.0.1).

Grey county is concerned about the impact on economic development opportunities. They see this as potentially a roadblock. What if someone comes within that two-year period and wants to do a development? They can't even talk for two years. With 700,000 people unemployed in this great province, we need to be finding ways to allow people to move forward as quickly—in a balanced manner, of course—as they can to ensure that development takes place, and the resulting jobs are created as a result of that.

If a development proposal came forward within the two-year freeze period, and the development required either an official plan amendment or a zoning bylaw amendment, then the developer would not be able to apply for an amendment. That doesn't make sense, Mr. Speaker. There have to be provisions to allow that to move forward.

Then there are more unique situations, such as if a proposal came forward that was never envisioned or contemplated by a council at the time when planning

documents were being prepared and updated, and therefore was not identified as a permitted use.

One such example of a unique land use—we've seen it across the province—is medical marijuana facilities. The council may not have even thought of that being something that the federal government was moving forward on when they actually did their zoning bylaws or their planning documents. But it's a reality of our country today, of our province, certainly, today, and that has to be able to have a provision to incorporate that and to, again, expedite.

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Many communities, many developers are out there. They've got projects almost half done, waiting for final approval. What would happen in this case? A two-year roadblock. Many companies can't afford to wait two years with investment money sitting there. They want to be able to move forward. They want to be able to create that employment. They want to be productive, contributing corporations within our province. Lord knows we need it, with 700,000 people unemployed and more every day due to the rising costs of power, our hydro, the fire sale that's imminently coming forward.

We need to make sure that when you create legislation it allows the opportunity for these unexpected, unintended things to be brought forward and dealt with in a timely manner. A council may very well, as I've said, be supportive of these facilities, but never considered permitting them specifically in the municipalities' planning documents because they are a fairly recent phenomenon. What the municipalities in Bruce-Grey-Owen Sound have recommended to the minister is that he revise these sections to indicate that the receiving of such applications within the two-year freeze period be at the discretion of council, to ensure that any economic development opportunities that council supports could still proceed in a timely manner.

Those local municipalities need the ability to move forward. They are the closest to the people. They understand their community best. I've referenced in here a number of times—today, even—the Green Energy Act, where this Liberal government took away the ability for local municipalities to have any say in those types of developments. It has had a huge impact, a negative impact, certainly across rural Ontario specifically, but across the whole province. The unintended consequences of that are thousands and thousands of people losing their jobs and companies leaving this great province because of the increased hydro rates, as a result, partially, of those significant developments.

Concern number two: The proposed section 8(1) would require that the council of every upper-tier municipality and the council of every lower-tier municipality that is not in a territorial district shall appoint a planning advisory committee and shall include at least one member who is neither a councillor nor a municipal employee. Should the above sections be approved by the province, the county would be required to establish a planning advisory committee with at least one representative who is not a councillor or a municipal employee.

It is not clear at this stage what the roles and responsibilities will be of the planning advisory committee. Would the planning advisory committee be responsible for reviewing planning applications? You would think something so simple could be black and white and very clear from the very start of that legislation. Why is such a basic question still being asked, even though this has been implemented, supposedly with lots of conversation and consultation?

The requirement for public representation on planning advisory committees could fundamentally change the current standing committee structure that the county has in place for planning matters. Questions remain about the roles and responsibilities of the planning advisory committee, and staff recommend that the province provide further detail on the purpose of the planning advisory committee and expectations on the roles and responsibilities of the said committee.

Concerns about duplication: If they already have a planning committee, and now you have to have another advisory committee—I think you would agree with me, Mr. Speaker, it makes no sense to continue to review and review, when you've already got a body in place to do it. I ask the question: Could conversation/consultation have had a positive and more effective result for this legislation if they had taken the time to do it, rather than moving forward in such haste?

Concern number three, as brought forward by the municipalities: Section 8(2) indicates that the council of a lower-tier municipality, the council of a single-tier municipality that is in a territorial district, or the township of Pelee, for example, may appoint a planning advisory committee. It appears that the wording of these sections conflicts with one another with respect to whether or not lower tiers are required to appoint a planning advisory committee.

Section 8(1) states that unless you're in a territorial district, lower-tier municipalities shall appoint a planning advisory committee; however, it appears that section 8(2) provides an option for lower-tier municipalities. As such, Grey county recommends that the province revise these sections and clarify whether or not lower-tier municipalities have the option of appointing a planning advisory committee. Again I ask, Mr. Speaker, could conversation/consultation avoid duplication, wasted time and resources?

Municipalities are always challenged with more legislative requirements, more administration, more bureaucracy, but expected to produce the same and not raise taxes. Here's another example, yet again, of those municipalities being hammered by a government that hasn't taken enough time to consult properly and ensure that they're not going to actually put an unintended negative consequence onto them. I'll reference, back in my old critic role—SAMS was one of those. It was rolled out after being suggested it be deferred, and it was deferred a couple of times. However, at the end of the day they rolled it out, and they have now spent \$20 million of your taxpayer money, Mr. Speaker, to actually

pay the municipalities for overtime incurred because of their haste and their lack of consultation with the right front-line stakeholders.

I know the minister has tried hard to rectify this. It may not have been her total responsibility that this was an absolute boondoggle. On the other hand, we're not letting her off the hook. We will stand here and keep her committed. My colleague Mr. Pettapiece has now picked up the torch of community and social services. I know that he is prepared, on behalf of the taxpayers of Ontario, to continue to push that minister to fix that system and not waste any other money, money that is not going to our health care needs, to our education needs, to those people in Community Living that don't have the housing they so richly deserve, and to the mental health services that we so richly deserve. So I know we're in good stead with my colleague Mr. Pettapiece, who will continue to push. But it's just an example that I highlight, that a lack of consultation in moving something forward is actually costing the taxpayer a lot of money and is resulting in a lot of cases.

About two weeks ago, I was in another riding accompanied by our leader, Patrick Brown, at a seniors' care facility. It was interesting to see that some of the cuts to physiotherapy were starting to impact some of the residents there. They weren't able to be as mobile, which then created more falls, which then sent them to the emergency—our most costly form of health care in our province.

I'm trying to paint the picture that some of these decisions, when they're hastily made, actually impact people on the front lines, particularly those people who need services in a timely manner, Mr. Speaker.

Concern number four—I'll go back to my concerns, and I'll revisit a few of these points a little later—is the requirement to report in notice of decisions the effect, if any, that written and oral submissions had on decisions. The county is very concerned that this could be difficult to implement and interpret unless there is a prescriptive accompanying regulation. Depending upon the level of detail required, the notice of decisions could become quite lengthy. It is recommended that further information be provided by the province regarding the level of detail expected to be included as part of the notice of decision. These are people at the municipal level. These are the councillors who are actually required to implement these pieces of legislation, and the staff.

I ask again, and I think this is the third or fourth time today in my short 20 minutes that I ask: Could conversation/consultation have avoided confusion, costly delay and frustration for municipalities to conform to legislation that we don't believe, hearing directly from them—these aren't my words. This is them providing their input back to me as the democratically elected representative for the great riding of Bruce-Grey-Owen Sound, that I'm bringing on their behalf to this government to say: Please stop before you do this. Let's actually do some consultation. Let's truly listen and learn before we implement, rather than having to reverse everything afterward and wasting all that time, all that energy and all



of those resources, not to mention the angst of all the people involved, the challenges for the developers who want to invest money here in Ontario, and we hope they will stay around long enough to invest. We need to do it, Mr. Speaker, with thought to what the end result is and how many people we can continue to serve.

With regard to development charges in my riding, builders have called on the Owen Sound council recently to bring in a moratorium on charging the fee, calling it a hindrance to much-needed growth in the city. This is after the city reduced development charges back in 2010. The president of the Grey-Bruce home builders' association said that when a community introduces development charges that are too high, people simply don't build in that community.

It's challenging. It isn't something where there is conformity across all jurisdictions. If one municipality actually implements development charges and the other one doesn't, typically that money flows to the community that doesn't have development charges, so again we're creating unequal playing fields. We need to make sure that we do this in a balanced manner, we consult all people, and we do it in a way that is going to benefit everyone.

This president of the Grey-Bruce home builders' association is absolutely right. In the end, Owen Sound unanimously voted in a two-year holiday on the city charging the fees for new residential construction. They did so to spur on more growth, again hoping that that developer would choose to come to the great city of Owen Sound to develop, as opposed to going somewhere else across the province.

On the other hand, again in my riding, the great town of Meaford is debating increasing their charge for a new single-family home to \$13,700 from \$12,000. Again, it's no easy decision, as unaffordability can and will impede development in small-town Ontario.

It becomes challenging. All municipalities, again, because of the added challenges, the added cost of hydro, the added payroll tax that's coming, the added cost of hydro that's going to double and triple in the next three years—the increased red-tape burden that this government keeps putting on them continues to challenge them to stay and provide the services without exorbitant tax increases.

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Of course, there are municipalities in Bruce and Grey with no development charges for new residential, commercial or industrial development, such as Hanover and Georgian Bluffs. Again, it's very challenging. Within the same geographic location some do charge, some don't charge, so it's a very challenging dynamic.

While we, in principle, agree that growth must pay for growth and the cost to expand infrastructure shouldn't fall on existing taxpayers, Bill 73 would increase development charges and, I fear, the impact on local communities and families. It may actually result in a negative impact, as opposed to the intended—I trust—positive impact.

Unlike here in downtown Toronto: When I drive into the city every week when we come back to the Legislature, I see the cranes. You see how much activity is here. Some are actually showing concern that there may be too many condos being developed here. That's not my place to say; the market will work itself out. But it certainly isn't case the in rural Ontario, where housing is not booming all over the place and we cannot necessarily afford to be slowed much more.

If we don't have development, if we don't have the ability to continue to move and grow, we are again going to be in a state of stagnation. The building necessary to sustain all of the services and programs in rural Ontario will very much be hindered if we aren't able to develop and grow as a result of this legislation that I believe has not had significant consultation and conversation with the stakeholders, with the people out there who really know their game and can really step up to the plate.

This government loves to talk. This Liberal government loves to talk about transparency and accountability. Its municipal affairs minister likes to talk about how planning disputes should be dealt with locally whenever possible. I could go on and on about how their mantra does not hold true for rural Ontario when it comes to the Green Energy Act, as I've said before. They took away all of the rights of the municipal, democratically, locally elected people to have a say in the development of those types of structures in their own backyards, despite the people of those areas overwhelmingly not wanting them.

In the case of auto insurance and the Ontario Retirement Pension Plan, there has been very little consultation. A lot of people out there do not want this, do not understand it and are worried about what the negative impact could be.

I have to finish on the fire sale of Hydro One. We have people from across this great province saying this is a wrong-headed decision. This is not good in the long term for us as taxpayers. It's not going to be good for my kids and grandkids down the road. Please step back and rethink this. Truly do consultations and serve the people you've been elected to.

This government continues to override municipal planning and to force wind turbine projects on unwilling host municipalities. The objective of this legislation should be to ensure that families can have a new home and new businesses can be built and create jobs, while controlling sprawl and protecting our environment and preserving prime agricultural land.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Percy Hatfield:** I read War and Peace one time—"It was the best of times, it was the worst of times"—and I asked the English prof, "Why would a book start like that?" He said that the author got paid by the word.

My friend from Bruce-Grey-Owen Sound obviously doesn't get paid by the word, but he manages to get more words in in a 20-minute block than anybody else I have ever met. I have great respect for him.

I have to take issue with one thing he spoke about, though. He talked about the medically grown marijuana

facilities. I'm overdue to visit some friends of mine who own one in the municipality of Leamington. I'm overdue for a visit. But of course Leamington is in the Conservative-held riding of Chatham-Kent-Essex, and I get the sense from the member from Bruce-Grey-Owen Sound that these are terrible facilities. And I'm saying to myself, "They're the most heavily regulated, the most heavily inspected, the most secure facilities in all of Ontario." You can get into a distillery or a brewery a lot easier than you can get into one of these facilities, and their product that they produce is helping people with cancer, helping people with glaucoma that are losing their eyesight. This is medical science, it has been approved, and it's in secure facilities.

I don't think that all of these facilities have guys on the corner in black leather jackets selling drugs to kids. That's not what they are there for. They are there because they are providing a service that we should all enjoy.

I don't know where the member was going with his criticism of it but I—

*Interjection.*

**Mr. Percy Hatfield:** All right. Thank you for clarifying because I know your member from Chatham-Kent-Essex would have a great deal of angst directed in his direction if he found out that a member of his caucus was against such facilities in such a community as the municipality of Leamington.

Speaker, a thank you from me to add that this afternoon.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Peter Z. Milczyn:** It is a pleasure to rise again in the House after the summer recess, especially on the issue of Bill 73, the Smart Growth for Our Communities Act.

I was listening intently to the member from Bruce-Grey-Owen Sound and his comments on it. There was a great deal there, much that might not really have anything to do with Bill 73.

I do want to say that I, in particular, am very proud to stand up in the House in support of this legislation. It is legislation which addresses the concerns that municipalities have been raising for years, concerns about letting municipalities have more flexibility to design development charges that work for their communities. Those communities that choose to have lower development charges can do it. Those that have critical demands on their infrastructure have the choice now to increase development charges in a focused way to pay for public transit, waste diversion and forward-looking services. That is a good thing. That is what municipal councils have been asking for.

Municipal councils and residents have been asking for greater certainty so that when a city or a town passes an official plan or passes a zoning bylaw, that, in fact, is the law that governs planning and development in their community.

This act will give more power to the municipalities, more certainty to residents that the official plans and zoning bylaws that they rely on to govern growth and

development in their communities will actually have the teeth to be enforced and will not be readily overturned—sometimes on a whim—at the Ontario Municipal Board.

This is an excellent piece of legislation. I wholeheartedly support it. I urge all members to support it. There are other issues that the member opposite raised that could perhaps be dealt with in other legislation that have nothing to do with planning.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Randy Pettapiece:** It's a pleasure to comment on the speech that my colleague from Bruce-Grey-Owen Sound just gave.

Speaker, I come from an agricultural background. I was educated at the Ridgetown College of Agricultural Technology. I lived on a farm most of my life. I've milked cows and raised hogs.

There's something that I can bring into this conversation about agriculture. If you go into a well-managed dairy barn, where the cows are fed well and everything is working well, you know what you hear in that dairy barn? Nothing. You hear nothing, and I think my colleague from the north could say that. You hear nothing because the cows are lying there. They're contented, because they're being listened to by the farmer. If they're not contented, the farmer will listen to these animals and he will deal with the situation. It's something that this government could take a lot of advice from.

From what I hear from AMO and from the municipalities in my riding, they just feel they aren't being listened to. I hope that when this bill gets to committee, which it probably will, they will take advice that they are getting from municipalities and all stakeholders to improve this bill—because that is the frustration, I think, that municipalities feel with this government. When they have something important to say that could help a bill along or could improve a bill, they're not being listened to. I hope they will listen to us, because we'll be bringing that message from our municipalities to committee: that they listen to amendments to improve the bill and help things go along a lot smoother.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Ms. Catherine Fife:** It's always a pleasure to try to keep track of what the member from Bruce-Grey-Owen Sound is saying, because he does speak very quickly. But his comments on Bill 73 I found a little interesting.

He did mention affordable housing several times. Perhaps this is just part of the new cottony, kitteny version of the party, because we haven't heard much about affordable housing from the PC caucus for a while. But I've been encouraged to hear it.

**1700**

I'm not sure why the member from Bruce-Grey-Owen Sound didn't venture into the missing part of this bill, which all of us should be supporting, and that is the inclusionary zoning version. Just to remind people what inclusionary zoning does: The city of Toronto, as I mentioned in my 20 minutes, passed a motion, and they say in their motion, "Inclusionary zoning would em-



power the city to require developers to include a percentage of affordable housing units in residential developments with over 20 units and in return they could receive fast-tracked approvals and other incentives." So this actually would be pro-development as well, because the member from Bruce-Grey-Owen Sound was very concerned about the impact of development charges, very concerned about developers.

This is a good solution, inclusionary zoning. We heard it at AMO too. As long as any legislation that comes from the government doesn't tie the hands of municipalities, municipalities, including the largest municipality in the country, the city of Toronto, want this to be in their tool box so that they can create more affordable, more accessible, equal housing.

The truth of the matter is, though, that there has been a lot of consultation, and not a lot happened. So I think that I would agree with the member in that there really isn't much to show here for over a year and a half's worth of consultations. In fact, though, they already had a good template. Bill 39, the member from Etobicoke-Lakeshore's private member's bill, was far more ambitious than this government's Bill 73, the Smart Growth for Our Communities Act. That is why we were very supportive of it, and actually we're going to fight to try to get some of that member's private member's bill embedded in this government bill, which, you know, is a little surprising.

So you can't have a piece of legislation and call it "smart" and not include affordable housing, Mr. Speaker. You can't.

**The Acting Speaker (Mr. Ted Arnott):** Thank you very much. That concludes our time for questions and comment. We return to the member for Bruce-Grey-Owen Sound for his two-minute response.

**Mr. Bill Walker:** I want to thank my good friend and colleague from Windsor-Tecumseh for the kind compliment. I do want to clarify, though. I wasn't suggesting anything negative about medical marijuana. What I was merely suggesting—as a matter of fact, I have two in my riding that are waiting for approval. But it's the challenge that if they came to a municipality asking to be able to have that type of facility and they didn't have it in their zoning plan, there could be up to a two-year delay to even have that considered, my concern being that they don't want to sit there for two years waiting for that to happen. I want to make sure it happens so that we can create jobs, with 700,000 people unemployed today as a result of the fiscal mismanagement of this government.

To the member from Etobicoke-Lakeshore, thank you very much for your comments. You suggested that not a lot was related to Bill 73, but I would suggest to you that there's a lot related here, the trend being the lack of consultation. Again, I'll bring up the Green Energy Act, where you didn't consult municipalities but simply stripped away their authority, and the fire sale of Hydro One, where you're going to move forward and take apart something that actually most Ontarians want to leave

exactly the way it is. The Ontario pension plan: Again, many people are actually very, very concerned about what the impact is going to be when it's actually implemented. What's going to happen to the dollars? Where are they going to come from? Who's truly going to benefit and who's going to truly lose out of that? So I see a significant trend of lack of consultation by this government when they impede and impose legislation on the great people of Ontario.

My colleague from Perth-Wellington: Again, his reference was to this government that does not listen. He's been trying since I think he arrived in this House to have them listen about the issue of joint and several liability, which they continue to not do. Again, a municipal issue: He was a municipal councillor and can talk about it first-hand because he understands what he's talking about, and yet this government, in my mind, has not shown any interest to even discuss it.

To the member from Kitchener-Waterloo: I just want to ask you to check Hansard, because you'll find the words that I do get in, most of them are about those people that are not getting the services because of the mismanagement of this government. I truly do care and I'm very concerned about those who are less fortunate. We need to do more and quit wasting so much so there's more provision of services for all the people of Ontario.

**The Acting Speaker (Mr. Ted Arnott):** Further debate?

**Mr. John Vanthof:** It's always an honour to be able to stand in this House and discuss the business of government, and in this case Bill 73, An Act to amend the Development Charges Act, 1997 and the Planning Act. I guess the name the government's using is the Smart Growth for Our Communities Act.

One of the great things about being able to sit and listen to these debates is that you hear perspectives from different walks of life, different parts of the province. Actually, if you really sit and listen, especially to this debate—planning is not usually a riveting discussion, but it's a very important discussion. Anyone who has any municipal background knows that some of the most fierce debates and fierce problems are with planning. Coming from northern Ontario, I'm going to be really upfront: In rural Ontario, we don't have a lot of the same type of issues with planning as some of the really urban parts of Ontario. It's one of the great things about our province that we are so varied, but it's also, for places that are outside the norm like some parts of rural Ontario—and northern Ontario is a lot like that—a lot of our issues regarding land-use planning are—maybe the word isn't "forgotten" or "overlooked" but "diminished."

We do have issues with the OMB. We actually do have, in some of my bigger municipalities, issues with development charges because a lot of the infrastructure in the older parts of town is falling apart and you can't really develop the newer part of town until you fix the older part of town, because they're interconnected. That's a huge problem. We don't get, in my office, a lot of calls about that, but we do get a lot of calls about other parts of planning. The member from Bruce-Grey-Owen Sound

mentioned something about agriculture, and we get a lot of calls about agriculture planning in my riding.

I have a lot of agriculture in my riding. The centre is very agriculture-oriented. The north is getting there too. Here in the south, you're no longer allowed to build solar farms on class 1, 2 and, I believe, 3 land. That's great. I'm not a big solar farm fan in the first place, but that's great. But in northern Ontario, guess where all the solar farms are going? Our best land. It's the same province. It's supposed to be the same planning—but different rules, and that's a problem. Should it be addressed in Bill 73? I don't know, but it's a planning problem. If one of the goals of Bill 73 and other initiatives like the greenbelt—if one of their initiatives is to protect agricultural land, why aren't we protecting all good agricultural land? If someone is going to say, "Well, that's just northern Ontario," I defy you. The combines are, right as we speak, in fields in Timiskaming taking yields off that are equivalent to anywhere else in the province and, I'd say, for this year anywhere else in Canada. Yet, there is nothing protecting that land from solar farms. Somehow, that has been missed.

We hear in this bill that there are different rules for single-tier municipalities and two-tier municipalities. Well, an issue we have in the north is the zero-tier municipality, the unorganized municipality. We don't talk about that a lot, but we have municipalities that have no representation by any other elected body than the province. They pay their taxes directly to the province, and their taxes are very low. That's a good thing for the people who live there, but as a result, a lot of people move to the unorganized municipalities, which makes sense. If you're close to an organized municipality—a town—you expect your soft services from the town: your arena, your library, your pool; stuff like that. You expect that from the town. But not a cent of that tax goes to that municipality.

The province has made steps. They're talking about it. They're talking about changing the tax regime for unorganized municipalities. We're not opposed to that. Where we have to be really careful is that when they make those adjustments to actually make those people pay realistic taxes, those taxes actually go to the level of government that's providing the services to those people. That's not happening now. That, in the big picture, might not be a huge issue, but for the planning decisions for the people in my part of the world, it's a big, big one, because it's stretching the towns, who are surrounded by unorganized—it's stretching them to the limit. A little bit of tax tinkering and having more money come to the province from unorganized is not going to solve that problem.

1710

Likewise, the people in unorganized, who have had to create all their own hard services—their own water, their own sewer—a lot of people don't realize that there are a lot of people in northern Ontario who don't have 911, specifically in unorganized townships. They're worried, and rightfully so, that their taxes are going to go through the roof, because there are services they're never

going to get. In most unorganized municipalities, you are never going to see water and sewer, so you're always going to have to pay for that yourself.

They're rightfully worried. They don't want to pay the same taxes that people who have full services have. It has happened in our area that towns have annexed other parts of unorganized basically as a tax grab, and people are rightfully worried about that. That is a huge planning issue in northern Ontario.

I'd like to return, because it's—what's your riding, Randy? What's your riding?

**Mr. Randy Pettapiece:** Perth—Wellington.

**Mr. John Vanthof:** Perth—Wellington. He's stealing my farm shtick.

I'd like to go back to agriculture. I'm not going to talk about cows, but I'm going to talk about farmland. If you're going to talk about farmland and protecting farmland, let's talk about it across the province.

The reason that in northern Ontario class 1, 2 and 3 isn't protected is because it isn't classified—it never got that far; that's another thing we don't have—and our temperatures are a little bit different. But we keep hearing about climate change. Do you know what? One of the impacts of climate change is that we grow great crops in northern Ontario. It's time that, if the government is serious about things like climate change and about the big-picture things, it should also think about the little details—which aren't little—to protect the land that actually is benefiting from climate change. You should protect that as well, because when it comes—there are some areas that are going to lose. It's pretty sad if we cover over the areas that are actually going to become more productive, good agricultural land, with industrial installations which, in some cases, we don't really need.

What really galls me about a lot of these discussions—I'm not saying that this is a bad discussion. Hopefully, I'm adding to it. Hopefully, we are adding to it. But we could be talking about much bigger issues, like, why didn't we have a full, wholesome, public debate about the advantages—if there are any—and disadvantages of selling Hydro One? Why don't we have that debate? That's what bothers me sometimes about how this government operates. They take little bills, which—we're not against this bill. But there are huge things that they're doing that deserve—that need, that demand—public scrutiny in this House, and this government is not willing to do that.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Ms. Sophie Kiwala:** I'm very pleased to rise today in support of Bill 73, the proposed Smart Growth for Our Communities Act, introduced by the Minister of Municipal Affairs and Housing.

The act proposes changes to the Planning Act and Development Charges Act, 1997, which, if passed, would give residents a greater say in how their communities grow, and provide more opportunities to fund growth-related infrastructure such as transit and waste diversion through the development charges system.



The idea behind smart growth is to ensure fiscally responsible environmental and social sustainability of communities, particularly by reducing urban sprawl and increasing more sustainable transport options, such as walking, cycling and public transit.

In my community of Kingston and the Islands, I have to say that we have observed a mini explosion of bike lanes, for example. Those are the kinds of things that are incredibly important to our communities to make them sustainable and to reinforce more healthy living.

If passed, the act would create the community planning permit system to include residents and stakeholders in planning from the very outset of the process. It is that community engagement that is so important to positively engage our constituents.

One part of the bill my community of Kingston and the Islands is particularly supportive of is making the planning and appeals process more predictable and making it easier to resolve disputes at the community level. I'm particularly excited about the efforts to encourage the development and protection of more parkland and green space in our towns and cities.

Mr. Speaker, it is my pleasure to lend my support to the passage of this bill. Merci beaucoup. Meegwetich.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Jeff Yurek:** Thank you very much, Speaker, for allowing me to comment on the speech delivered by the member from Timiskaming-Cochrane. I'm glad that in my first opportunity in the fall session I'm able to respond to the member, because I really enjoy his speeches that he speaks to, mainly talking about the province in northern Ontario.

I can tell you this much: The problems you're having in northern Ontario pretty much are the problems we're having in rural, southern Ontario, which basically is a government that moves forward without consultation.

I'll give you a good example. You talked about how your solar farms are going on class 1, 2 and 3 lands, which is a terrible thing to be occurring and should be stopped, even though it's not been. This government approved a solar farm right beside developed land outside of a small municipality. With some of the setbacks that were given as a provision, it's basically neutered any ability for development to occur in a certain part of this land, where they have already paid for sewer and water to be there. So the city has just wasted tons of amounts of money to invest in this. The developers have that money sitting there that they're hoping to get back from the constituents who buy the houses, which aren't going to be developed there. It's that type of non-consultation that's going forward.

I'm sure this whole situation probably could have been fixed, because the municipality has a piece of land which is not going to be developed for anything, ever. It could be suitable for a solar farm. They probably could have worked out a great deal with the ministry and the solar development company and still have had the development go forward.

It's the lack of consultation that you spell out that is not occurring in northern nor in southern, rural Ontario. I'm sure eastern Ontario is quite the same. I would hope the government would change their tactics. They don't seem to be listening to anyone right now.

**The Acting Speaker (Mr. Ted Arnott):** The member for Hamilton East-Stoney Creek.

**Mr. Paul Miller:** Speaker, I just want to say that I spent many years on city council in the municipality of Stoney Creek. Over the years, we had many disturbances with the OMB. It took forever to get decisions to go ahead for planning and for development, which frustrated the residents as well as the developers and the builders. We always had problems.

To streamline the act and to make it better is certainly a movement in the right direction. However, over the years, I also saw some very bad decisions. In reference to landfill sites, I can give you a perfect example: the Taro landfill, which was a real controversial landfill that was built on Hamilton Mountain, on fractured bedrock. The government of the day allowed that project to go forward. They actually weakened the EA process at the time. That also falls under the Planning Act, because a lot of planning and development that goes on in municipalities overlaps other jurisdictions and other ministries.

To streamline it is good, but the problem is the enforcement. Once again, that landfill—there was supposed to be non-hazardous material going in there. There was hazardous material that went in on fractured bedrock. I saw that.

1720

So it's great to have a bill, but if you don't enforce and follow up with the bill, then things can happen. I saw so many times where it ended up being appealed and shot down by the OMB because the decision had already been made. But if the Planning Act is not followed and the municipality cannot enforce the Planning Act, and the government here in Toronto doesn't co-operate with the decisions of the OMB, then it causes major problems. I saw that on a regular basis, and I don't see anything in this act that talks about landfills, environmental hazards and things that have been a real problem for my municipality in the past. That's a weak spot in it.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mrs. Laura Albanese:** I am pleased to rise and comment on Bill 73, and comment on what the member from Timiskaming-Cochrane put forward in his presentation. He spoke mainly about northern Ontario and about unorganized communities. I had the opportunity, in my role as parliamentary assistant to the Minister of Finance, to meet with different communities in regard to that recently at the AMO conference, so I appreciate his comments in that regard.

The riding I have the privilege to represent, York South-Weston, is an urban riding. So the perspective I bring to this House is that of my constituents, so a particularly urban one. My community is growing and being revitalized thanks to the investments that the province is making in infrastructure. We have a new

hospital that is going to open shortly in the riding just north of us. We have the Georgetown South GO line, now also frequently called the Kitchener line; the Eglinton Crosstown project; and the Barrie line, which will have a stop in my riding in the near future.

What's happening is that we see a renewed interest in some of our neighbourhoods by developers. What I like about this bill is the fact that it proposes to make sure that communities are consulted at the beginning of projects. What happens now is that they're often consulted later or the OMB often overrules what the community has to say. That's the aspect of this bill that I like, and one of the reasons that I think we should support it. It empowers communities to say more at the start.

**The Acting Speaker (Mr. Ted Arnott):** That concludes questions and comments for this round. We return the member for Timiskaming—Cochrane for his reply.

**Mr. John Vanthof:** I'd like to thank the members from Kingston and the Islands, and Elgin—Middlesex—London, my colleague from Hamilton East—Stoney Creek and the member from York South—Weston. I appreciate the comments, especially the ones that actually had something to do with my comments.

This bill deals with communities that are growing. We appreciate that, and I appreciate that. But in a lot of places in the rest of the province, communities are stable or declining. We like to talk about transportation and transit, but I have people in my communities who no longer can live there because they can't get to the hospital. We used to have a train—that's gone—and now you can't even get direct bus service unless you want to go at, like, 2 o'clock in the morning. If you're 70 and you need to go to a Sudbury hospital for tests, you know what? You're getting to the point where you can't live in my riding. Now is that smart planning? No.

Are all the communities in my riding growing? No. But the communities in my riding provide income for the province, and they're going to provide a lot more income to the province. But if you want to promote agriculture and things like that, you're not going to move to a place where your parents are not going to be able to live in your community because they can't get to the hospital unless it's a four-hour bus ride with three stopovers.

There's something wrong with the planning of the province, because it's all focused on the growth areas, but not enough focus is on the stable areas or the areas that actually provide wealth to the province, other than just growing population. That's something that we're going to have to address, if the Premier is serious about this "one Ontario," because right now, it's not one Ontario.

**The Acting Speaker (Mr. Ted Arnott):** I'm pleased to recognize the government House Speaker on a point of order.

**Hon. Yasir Naqvi:** Speaker, I believe that you will find we have unanimous consent to put forward a motion without notice with respect to the Ombudsman, and that the question on the motion be put immediately without debate or amendment.

**The Acting Speaker (Mr. Ted Arnott):** Is there unanimous consent of the House to move a motion with respect to the Ombudsman? I heard some noes.

Further debate? The member for London—

**Mr. Jeff Yurek:** Elgin—Middlesex—London.

**The Acting Speaker (Mr. Ted Arnott):** Elgin—Middlesex—London. Thank you very much.

**Mr. Jeff Yurek:** Thanks, Speaker. I just spoke about two minutes ago. I'm glad you could put that together here.

First of all, I would just like to point out, it's very interesting that we're in the middle of debating this bill, and the government has stopped debating. They didn't consult on this bill, and now they don't want to debate on this bill. I think that's a totally sad state of affairs for this government and democracy, when the governing party has decided that they'll just bring forth legislation without consultation, without debate, and vote it through. I'm pretty sure when it hits committee, not a single opposition amendment will pass. I think we've had maybe two that passed since we started. I just think that's a travesty, and unfortunately, it's too bad we've hit this point in democracy. Hopefully, the people of Ontario are seeing what is occurring with their democracy in this province, when they have a government that's more focused on a federal campaign than actually dealing with the issues of the day in our own province.

But Mr. Speaker, I digressed a bit, and I'd like to speak a little bit on Bill 73, the Smart Growth for Our Communities Act. It's worth noting that I just mentioned the lack of proper consultation that went in with regard to developing this legislation. We've seen lack of consultation most recently with the Hydro One sale. We've seen that over 50% of Hydro One would be sold, even though it's not a majority of Hydro One—I am not sure how that works out to not be the majority. But the constituents of this province were not consulted about this sale. It is important to note that our leader, Patrick Brown, earlier today stated that over 70% of Ontarians are against this deal. However, there's still no consultation with the bill, and in fact, they've removed the Ombudsman from the process. So all of this deal going forward, the sale is not under public scrutiny. It's not being able to reach the average taxpayer or ratepayer of what's going to go on with this Hydro One sale, that at the end of the day, our rates are only going to increase.

Why? Why are they rushing that? Why are they rushing Bill 73? Is there any reason to ensure that this goes through any quicker than possible? Do you not think that when you rush a piece of legislation—without consultation, without debate—and ignore the committee process by probably not listening to the opposition, you're going to end up with errors or problems?

Look at the Green Energy Act. They can't say there haven't been problems with that act; otherwise, they wouldn't be changing the way the subsidies are ruled, or the fact that they might actually let municipalities have a say. I think the fact that they've totally disregarded what municipalities have had to say over the life of the Green



Energy Act is probably one of the reasons why it's been such a colossal failure.

This government needs to slow down and do things the proper way. The best way to do it is to start to consult with people before proposing new legislation, as opposed to after. Slow and steady wins with the race, and nothing good happens when a product is rushed to market. That is the same thing that's going to occur with this legislation.

The Smart Growth for Our Communities Act affects municipalities, developers and new homebuyers. New homebuyers range from young people just entering the market, just by entering the workforce, to those who are retiring or moving into a new community. Buying a home and moving into a new and existing community gives one a great sense of accomplishment. It provides us with a feeling of great achievement as we settle in and build a new life. For many, building a home the first time is not a pleasant experience. One of the reasons is extreme cost with owning. Home ownership is a very rewarding experience, but it's very, very tough to start, especially in this province.

1730

Ontario was a place, long ago, 15 years ago, where you could find work, raise a family and buy a house. Unfortunately, Bill 73 is not helping correct that situation, returning us to a "have" province. Bill 73 impacts municipalities in a negative way, when we need to be there to assist them as a working partner. Our municipalities are always operating on thin ice, and with this proposed legislation, it will only become increasingly more difficult to finance the new homes being built, as well as the necessary infrastructure associated with the increased population. Municipalities need support, and they are not receiving such support with this provincial government, as their concerns are not being heard.

This bill affects the Development Charges Act. Amendments to the act would include a mandatory planning advisory committee for upper-tier municipalities. As such, it would basically remove talk from an open room back into the bureaucracy to have things decided. Instead of having open town council meetings where constituents can attend and voice their opinions, this new committee would include members of council, but only one member of the public. As we've seen from other things this government has done, getting the voice of one member of the public or of a group does not actually count as proper consultation. It is therefore crucial that development debate stays within open and transparent public city council meetings.

The minister's own mandate letter states that he must conduct a full review of the Ontario Municipal Board before making any changes; however, I feel that he has not listened to his Premier. The Smart Growth for Our Communities Act comes at a time before this review has even been conducted. Not only has this review yet to be conducted before the legislation is put through, but we have heard from many key stakeholders that the reviews and analyses have yet to be completed.

This bill includes a number of changes to the Development Charges Act. Historically, builders paid fees to

municipalities to fund infrastructure projects such as sewers, roads and water. If passed, the amendments proposed in this bill would remove that section that prevents the development charges to being limited only to those three items. Therefore, if this section were removed, development projects such as museums and galleries could be left on the bills of new homeowners, which is interesting—it's not the entire province that is undergoing development.

I could easily see this government, with its \$10-billion deficit, \$300-billion debt, and only increasing—

*Interjection.*

**Mr. Jeff Yurek:** Yes, isn't it crazy, the amount of money they're behind? But I can just see this government going to the municipalities: "You now have the development charges; you can use that money. We're going to cut more funding," like the OMPF funding that they cut from rural Ontario day in and day out.

I can you tell you, many municipalities in my riding do not have the strong development going on—because there are no jobs in the area—for them to actually create the money that this government is probably going to pull away from them. So it's very, very curious that they would go forward without consulting the general public and rural Ontario—and I'm sure northern Ontario as well would have the same problems.

Just another point: Development charges in the surrounding Toronto area right now are between \$30,000 and \$50,000 per single-family home. Now, take that comparison to Calgary and Edmonton, which I would assume have the same type of growth areas that Toronto is experiencing, and they're down to less than \$8,000. That's kind of disheartening for the taxpayers of the province and the home builders of the province, the fact that costs can even go higher. We're not even competitive with other jurisdictions.

As I mentioned earlier, as a member of a rural riding, this government has lost over 6,000 manufacturing jobs in my riding alone. It alarms me to think that a newcomer coming into our community would even be able to afford a new home to start with, or in fact move, or even have a retiree try to move into a new community to downsize, for someone actually coming in and buying their house.

The last thing we want to see are families turned away because they're unable to own a home. Housing and home ownership is becoming more and more of a problem within our province.

When we look at social housing, that is also another problem. There are 165,000 families on the wait-list. I get that every day in my riding: people coming in looking for social housing, because there's not enough housing there that's suitable for them. This government gives a certain amount that's spent over three years in all of Elgin county, and the projects eat it up just like that. It doesn't even touch the wait-lists going on.

In fact, I just want to commend one of my constituents, Jason McComb. He was a homelessness advocate and actually doesn't own a home. He lives in a storefront in St. Thomas. He has Homeless Happens—I

had him in the Legislature once a few years ago. He's just trying to raise awareness of homelessness. He's walking across Canada, and he's somewhere in northern Ontario right now. I'm sure the winter is going to slow him up quite a bit. If you see him out there as he's heading off into Manitoba, be sure to give him your best.

I think it's people like that who are spelling out to this government that not only is social housing an issue that's missing, but people's access to homes—making these changes is going to make it more difficult for people to enter the housing market. It's going to put a burden on municipalities with their ability to actually utilize development charges that they're going to allow them to charge, but if there's no development, the charges aren't going to go forward.

Thanks for your time, Mr. Speaker. I've run out of time.

**The Acting Speaker (Mr. Ted Arnott):** I thank the member for Elgin–Middlesex–London.

Questions and comments?

**M<sup>me</sup> France Gélinas:** It was really interesting, listening to the member from Elgin–Middlesex–London. I was surprised to see how much of what he had to say can more or less directly apply to my riding of Nickel Belt.

He talked about homelessness. It wasn't that long ago that people thought that there was no homelessness in the north because it was too cold, and where would people live? We have an average of 350 to 500 homeless every single night in Sudbury and surrounding areas. Access to social housing is just as much of an issue in Nickel Belt and Sudbury as it is in his riding, with people coming to see me, like they went to see him, about needing access to housing.

We have an opportunity here today. We have an opportunity with this bill to really make sure that everybody has a home. We have this opportunity to make sure that affordable housing of all types is part of the plan so that, moving forward, whether you are in a high-growth area or a more or less stagnant area—that I represent—the laws are put in place so that they make sense throughout the province and they make sense so that we make sure that as things move forward, everybody ends up with a home, a home that they can afford and a home that makes sense.

It was rather interesting to see him explaining what was going on, because I could really relate to what's going on in my riding also.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mrs. Marie-France Lalonde:** It is very interesting to hear all these comments which I had the great pleasure of listening to all afternoon.

The fact that we are actually debating this bill now indicates, I would say, that we, the government, extended the debate a couple of hours ago. If you look at the standard time to debate, it's typically for 6.5 hours. We had the wonderful pleasure of hearing about this debate and we're almost at eight hours at this point on Bill 73.

I'm not sure what the member opposite earlier was referring to, in the interests of having meaningful debate,

but when I think about a meaningful debate, I also think about committee, where a lot of the work gets done. So, certainly for me, listening, that we're all somewhat agreeing that Bill 73 is an important bill for this government and for some of the members of the opposition and the third party, I would say that we should try to bring this bill where it belongs, which is in committee, where we can start working on making sure that it will represent what we all want, which is making Ontario better and putting the people of Ontario in a better position. I thank everyone for listening. Thanks.

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**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Bill Walker:** It's always a pleasure to follow my colleague from Elgin–Middlesex–London. I want to congratulate him on his new critic portfolio of health care. He's a compassionate person who always is thinking about people and how he can help them, back to his pharmaceutical training.

I want to just say, though, before I start with my comments for him, that the member from Northumberland–Quinte West did come across the aisle and have a chat with me and provide a clarification that, apparently, there are two-year-freeze exemptions for municipalities. I appreciate that. The reality, though, is that there is still lots of confusion, which he admitted to. Grey county actually brought it to me. My staff obviously have not had the clarification that clearly, so we'll go back and look at that.

I think what it alludes to again is that there was a lack of proper consultation across all levels, or we would have had the wording right. If we had had proper consultation, it wouldn't be rushed legislation, which my colleague did talk about a fair bit. That rushed legislative process wastes valued time and resources, which could be better spent helping people.

We need balanced growth, as one person said in here today, across all areas of our province. The legislation should reflect and respect urban and rural areas, and foster growth in all areas across Ontario.

We've just heard that there are similar challenges in northern Ontario, as there are in Elgin, St. Thomas, London, Middlesex, and certainly in my riding of Bruce–Grey–Owen Sound as well.

He spoke about the lack of consultation and highlighted one: Some 70% of Ontarians are opposed to the fire sale of Hydro One—again, that trend of them not listening, and moving forward and rushing things through before the people who are going to be impacted the most truly can have a real, strong, forthright opportunity to have a say. The Green Energy Act, as I've said in here a couple of times today—they rushed it through and again took the ability from municipalities to have actual say. I'm a little bit challenged and perhaps cynical that this is going to be better, when I see how the result of that has happened.

One thing is that the minister is supposed to have a full review of OMB before any changes, and yet here is legislation sitting in front of us.



I hope we can get to committee, do some clarification and make sure that the amendments actually reflect the needs of the people of Ontario.

**The Acting Speaker (Mr. Ted Arnott):** We can have one last question or comment in this round.

**Mr. Percy Hatfield:** It's indeed a pleasure to stand and comment on the presentation made by the member from Elgin–Middlesex–London. I'll just focus on one part of what he had to say.

He talked about development fees. He said that in Calgary, for example, they were about \$10,000, compared to Toronto—\$30,000 to \$50,000 in the GTHA.

Let me compare that, if you will, to the municipality of Leamington. Leamington is in a three-year experiment where they have done away with development fees. They're not charging anything. At first blush, you would say, "That doesn't make any sense." But since they initiated that, Speaker, three new subdivisions are under way, are being built, are under construction. New industrial places—new commercial space—are going on in Leamington because they dropped development fees as an incentive to get people building again.

A great idea? Some people say yes. The town of Harrow thought it was a pretty good idea, but they weren't so sure, so instead of dropping their development fees to zero, they went to 50%. They dropped their fees down to 50%. They're getting stuff going in Harrow.

The city of Windsor, by contrast, voted on June 1 to increase their development fees, because development fees in Windsor were the lowest in the province for a municipality of 200,000 population or more. If I recall, the increase in Windsor, which will be staggered over a number of years—the residential increase is going up 47%, and I think its commercial rate is going up by 15%.

Development fees across the province are all different, just like the number of voices in this Legislature when we bring discussion to an issue—and why we have to have a full and fulsome and wholesome debate on the issues.

**The Acting Speaker (Mr. Ted Arnott):** We return to the member for Elgin–Middlesex–London for his reply.

**Mr. Jeff Yurek:** I'd like to thank the members from Nickel Belt, Windsor–Tecumseh, Bruce–Grey–Owen Sound and Ottawa–Orléans for their input on the debate.

I'm glad the government party decided to offer their two minutes' worth of debate to that section as opposed to just sitting there on their hands, as they have been doing for the last 12 minutes—and have removed themselves from debate and this process.

I do want to note that the Ontario Home Builders' Association is concerned with the way that the development charges are being collected and distributed. The CEO has been quoted as saying, "New neighbours ultimately pay every new tax generated by government. If municipalities believe that transit is the priority project, they have a responsibility to be accountable, transparent and fair in how they determine the entire tax bill that falls on the back of new homebuyers and businesses."

We understand that municipalities could use the extra funding, possibly using developmental charges. How-

ever, that is not the solution to the problems of the municipalities.

I think a perfect opportunity this government has, which they should think about—the member from Haldimand–Norfolk brings it up quite often; the member from Renfrew–Nipissing–Pembroke brings it up quite a bit—especially for rural Ontario and northern Ontario, is the expansion of the gas tax. However, that never really gets brought forward. Unless you have a transit system in your municipality, you're unable to access that gas tax. Our federal cousins have made that change, and it has been expanded into municipalities that don't have a transit system, and they're using it for great opportunities. I think it's a great way—if you really want to develop economic opportunities, help with infrastructure, the expansion of the gas tax is step one, and maybe we can see legislation fast-tracked on that, if they're in the business of fast-tracking all legislation.

**The Acting Speaker (Mr. Ted Arnott):** Further debate?

**M<sup>me</sup> France Gélinas:** Merci, monsieur le Président. Ça me fait plaisir de prendre quelques instants cet après-midi pour vous parler du projet de loi 73, le projet de loi modifiant la Loi de 1997 sur les redevances d'aménagement et la Loi sur l'aménagement du territoire. Je voulais en parler parce que bien que le projet de loi nous parle de communautés en croissance, moi, je représente un comté où il n'y a pas de croissance. C'est la stagnation dans Nickel Belt. Il y a quelques petites parties de Nickel Belt qui sont en croissance, comme Vallée Est et Rayside-Balfour, mais la plupart des autres, qu'on parle de Foley ou de Gogama, de Mattagami ou de Biscotasing, de Westree, de Shining Tree ou d'Alban, on ne parle pas de croissance.

Mais, on est en train de changer une loi qui va s'appliquer partout en Ontario, une loi qui va s'appliquer autant dans mon comté et dans le nord-est de l'Ontario que dans le restant de la province. Depuis longtemps, on sait que c'est une loi qui fait des changements à deux projets de loi, vraiment. C'est une loi qui fait des changements par rapport aux redevances d'aménagement et une loi qui change également la Loi sur l'aménagement du territoire.

Si on parle spécifiquement de la partie sur les redevances d'aménagement, la loi est vraiment faite en sorte pour dire qu'on donne la permission d'augmenter les redevances d'aménagement afin, vraiment, d'augmenter les revenus. Mais, il faut que tu prennes en ligne de compte que dans certaines municipalités, pour s'assurer qu'il y a une croissance, parfois on va en sens inverse, et que le sens inverse a autant de bon sens dans certaines municipalités que de leur donner la permission d'aller chercher d'autres outils et d'autres fonds.

Plusieurs des personnes qui ont parlé devant moi ont peur que si les frais d'aménagement deviennent trop élevés, ce qu'on va faire, vraiment, c'est arrêter la croissance plutôt que d'encourager les entrepreneurs à développer de nouvelles entreprises domiciliaires, de nouveaux « buildings » appartements ou même de nouveaux condos. Si les redevances sont trop hautes, ce

qu'on va faire c'est qu'on va stopper ça. Mais, d'un autre côté, si la loi est faite pour aller en sens unique où la seule chose que tu peux faire est d'augmenter les frais, bien là...

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Mon collègue de Windsor-Tecumseh a donné des exemples. Dans son comté, ils ont décidé de tout simplement abolir les frais de développement et ils ont eu des résultats. Il a parlé de trois nouvelles entreprises domiciliaires qui ont vu le jour. Il a parlé d'un nouveau complexe industriel, de nouvelles places pour des entreprises, et tout ça avec une décision du conseil municipal qui était de tout simplement enlever les frais. Il a parlé également d'autres municipalités qui, elles, ont décidé de diminuer les frais de développement de 50 %, et pour ces municipalités-là, aussi, ça a été gagnant. Ça a été gagnant parce qu'elles ont été capables d'augmenter le nombre de nouvelles constructions, d'habitations et de commerces, etc., qui se sont développés sur leur territoire. Donc, avoir un projet de loi à sens unique, c'est toujours un peu problématique.

L'autre partie du projet de loi qui parle spécifiquement de l'aménagement du territoire, ça, monsieur le Président, c'est encore plus problématique à cause de ce qui n'est pas dedans. On n'a pas souvent l'opportunité de changer des lois. Si on regarde, en ce moment, la Loi sur les redevances d'aménagement, c'est une loi qui date de 1997. Donc, ça fait 18 ans de ça. Il va probablement se passer un autre 20 ans avant qu'on fasse d'autres changements.

Il y a une opportunité en or de s'assurer qu'on met dans le projet de loi 73 des changements à la loi qui nous permettraient de s'assurer que tout le monde a un logement. En anglais, on appelle ça « inclusionary zoning ». Puis, ce que ça fait, c'est qu'au fur et à mesure qu'il y a de nouveaux appartements qui se bâtissent, s'il y a plus de 20 appartements dans n'importe quel immeuble—donc, n'importe quel immeuble à logement qui se bâtit qui aura plus de 20 unités devra avoir une unité de logement social, de logement à prix abordable. Qu'on parle d'un condo, ça va vouloir dire que tu devrais être capable d'acheter des unités, ou si tu parles d'un appartement à louer, tu devrais être capable d'avoir un appartement à louer.

Depuis qu'on a commencé à parler du projet de loi 73, il y a un éléphant dans la Chambre. Tout le monde le sait. On a besoin de plus de logements à prix abordable. On en a besoin dans les quatre coins de la province, que tu parles du Nord-Est, du Nord-Ouest, du Sud-Est, de Toronto ou d'Ottawa. Partout, on a besoin de plus de logement social. On a une opportunité en or, et cette opportunité-là, c'est le projet de loi 73, mais ce n'est pas dans le projet de loi.

What I was trying to do with the 10 minutes that was allocated to me to speak about this bill is really to show that the first part, the part about the Development Charges Act—the modification to this part is really

focused toward bringing new revenues to the municipality, it is really focused in the direction of improving revenue streams for municipalities, but my colleague from Windsor-Tecumseh made it clear that not every municipality believes that increasing development charges is the way to prosperity. Some have even gone the way of no development charges, and they saw the benefit of that. They saw three new different subdivisions grow that probably would have never been there. They saw a new industrial park, they saw new commercial areas, and this is with zero development charges.

Yet the bill is written in a way that you can only see growth if you see a growth in the development charges. People in the business world, when I go to the Sudbury Chamber of Commerce, they call that red tape. They call that a step in the wrong direction. Let us who are living in those municipalities decide. Don't set a bill that directs you into the direction of increasing those charges.

In the second part of the bill, that has to do with the Planning Act, there is a big, big hole, and that big hole is inclusionary zoning. Throughout the province, we need more social housing. I'm sure that each and every one of us has had families in our office, often feeling very, very uncomfortable, talking to us about housing that they just can't afford, and the hardship it brings on their families, on their loved ones and on their children because they just can't afford it, and what they have to do without, because so much of their paycheque goes towards paying rent.

Here is an opportunity to grow our social housing stock without having to spend a single penny from the province. Mandate, in Bill 73, inclusionary zoning, which means that every time you have construction of more than 20 units, at least one of them will be for social housing. Whether they are condos or big apartment buildings would make no difference. Every time you have 20 new units, you get one more unit of social housing. Make it the law. Make our neighbourhoods more inclusive, so that we have social housing throughout all of our neighbourhoods, so that they are there, they become available, they become accessible and they become used.

This bill needs to be amended. The Liberals have to understand that when you make changes to a bill, when you open up a bill, you cannot let opportunities like that go by. Their member from Etobicoke-Lakeshore had a bill that did just that, and we all voted in favour of this. Let's move on with that, Speaker.

**The Acting Speaker (Mr. Ted Arnott):** Thank you very much.

*Second reading debate deemed adjourned.*

**The Acting Speaker (Mr. Ted Arnott):** It being 6 of the clock, this House stands adjourned until tomorrow at 9 a.m.

*The House adjourned at 1757.*



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Hardeman, Ernie (PC)	Oxford	
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Hillier, Randy (PC)	Lanark–Frontenac–Lennox and Addington	
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Yurek, Jeff (PC)	Elgin–Middlesex–London	
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Vacant	Whitby–Oshawa	

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permanent des règlements et des projets de loi d'intérêt privé**

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Daiene Vernile, Bill Walker  
Jeff Yurek  
Committee Clerk / Greffier / Greffière: Christopher Tyrell

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la politique sociale**

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**Select Committee on Sexual Violence and Harassment /  
Comité spécial de la violence et du harcèlement à caractère  
sexuel**

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Vice-Chair / Vice-présidente: Laurie Scott  
Han Dong, Sylvia Jones  
Marie-France Lalonde, Harinder Malhi  
Kathryn McGarry, Eleanor McMahon  
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No. 95

N° 95

ISSN 1180-2987

## Legislative Assembly of Ontario

First Session, 41<sup>st</sup> Parliament

## Assemblée législative de l'Ontario

Première session, 41<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Tuesday 15 September 2015

Mardi 15 septembre 2015

Speaker  
Honourable Dave Levac

Clerk  
Deborah Deller

Président  
L'honorable Dave Levac

Greffière  
Deborah Deller



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Toronto ON M7A 1A2  
Telephone 416-325-7400; fax 416-325-7430  
Published by the Legislative Assembly of Ontario



Service du Journal des débats et d'interprétation  
Salle 500, aile ouest, Édifice du Parlement  
111, rue Wellesley ouest, Queen's Park  
Toronto ON M7A 1A2  
Téléphone, 416-325-7400; télécopieur, 416-325-7430  
Publié par l'Assemblée législative de l'Ontario



# LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 15 September 2015

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 15 septembre 2015

*The House met at 0900.*

**The Speaker (Hon. Dave Levac):** Good morning. Please join me in prayer.  
*Prayers.*

## ORDERS OF THE DAY

### STRENGTHENING AND IMPROVING GOVERNMENT ACT, 2015

### LOI DE 2015 SUR LE RENFORCEMENT ET L'AMÉLIORATION DE LA GESTION PUBLIQUE

Resuming the debate adjourned on May 14, 2015, on the motion for second reading of the following bill:

Bill 85, An Act to strengthen and improve government by amending or repealing various Acts / *Projet de loi 85, Loi visant à renforcer et à améliorer la gestion publique en modifiant ou en abrogeant diverses lois.*

**The Speaker (Hon. Dave Levac):** I believe we will go to the member from Dufferin-Caledon.

**Ms. Sylvia Jones:** It's my pleasure to continue the debate on Bill 85, before I was so rudely interrupted about four months ago. Of course, the bill is entitled the Strengthening and Improving Government Act, which is kind of interesting, because the one benefit that you have when the House is in recess is that there are seven days a week to actually get feedback and hear from people in your riding as opposed to, of course, when we are sitting here in the chamber four days a week and we only have the three days back in our riding. So in some ways it gave me an opportunity to hear a little more about how people in Dufferin-Caledon and across Ontario would like to see the government strengthened and improved.

As I said in my previous debate, Bill 85 is an omnibus bill that affects 15 different pieces of legislation involving eight different ministries. The majority of the measures in Bill 85 are simply housekeeping measures, but there is a particular measure that I am concerned about and would like to raise with you today.

If passed, Bill 85 would amend the Provincial Offences Act to allow municipalities to establish an end-to-end electronic court record system for the provincial offences court. This is somewhat concerning, as it sounds like a lead-up to the proposed administrative monetary penalty system, or AMPS as I will refer to it, and that is starting to be in the news since the government released a consultation paper in March of this year.

Speaker, the concern I have with the AMP system is that it could have serious repercussions for access to justice in Ontario. The proposal would replace the court procedures for resolving disputes related to charges under the Provincial Offences Act with an online dispute system, whereby an individual can pay their fine or dispute the charge. The concerning part of all this is that there is no formal hearing for an individual who would like to dispute the charges made against them. Instead, your dispute would be reviewed by an independent hearing officer, who will decide if the fine will be paid in full or reduced. Right now, of course, that individual has the right to dispute their charges in front of a justice of the peace. That will all disappear if the government goes forward with introducing the administrative monetary penalty system, or AMPS.

I'm not the only one concerned about the proposed system. Organizations, including the Ontario Trucking Association and the Ontario Paralegal Association, argue that the proposed system would lead to a deterioration of our rights to access to justice and would limit the person's legal rights. Other organizations and municipalities have argued that there is a lack of information and detail about the proposed system, such as which charges would fall under the administrative monetary penalty system. Our justice system is to protect Ontarians and ensure there is access to justice. However, an administrative monetary penalty system will deteriorate the very nature of our justice system.

Speaker, I'd like to spend the rest of my debate discussing another issue I have with Bill 85, and that is that Bill 85 doesn't actually do anything to strengthen and improve government in our province. Instead, it is in fact a housekeeping bill. For example, one of the schedules in Bill 85 would provide for a liability exemption for the Ontario Medical Association. The Commitment to the Future of Medicare Act would be amended to align with the 2012 Physician Services Agreement between the province and the Ontario Medical Association. It would provide immunity for representatives of the Ontario Medical Association, including directors and staff, but not the association itself. Individuals will be restricted from pursuing civil action regarding agreements between the OMA and the Ministry of Health in the following situations: including insured services under OHIP, amounts payable under OHIP in respect to the rendering of insured services to insured persons, and amounts payable to physicians by the minister or the crown. This would prevent legal action against representatives for acts done in good faith during negotiations with the

government related to physician agreements or payment, such as agreements that contain fee changes for certain physician groups.

This schedule of Bill 85 does not amount to strengthening or improving our health care system; rather, this schedule simply amounts to a housekeeping measure. It aims to protect the Ontario Medical Association in its capacity as the bargaining unit for Ontario's physicians and adviser to the government on health matters. To strengthen and improve our health care system, the government needs to take action to root out waste and build a more patient-centric model of health care delivery. Instead, the government seems content with this bill to simply tinker around the edges. I'm not saying that this amendment isn't needed, but it hardly falls under strengthening and improving government.

Our once-proud health care system is now floundering because of this government's poorly-thought-out decisions. Recently, the government decided to decrease the number of medical residency places by 50 over the next two years. The reason or justification for this short-sighted decision was because this government believes there will be an oversupply of doctors. I want to remind people: The last time a government actually decreased the number of residencies, it was Bob Rae's government.

**Mr. Jim Wilson:** A disaster.

**Ms. Sylvia Jones:** It was. To my colleague's point, the previous Minister of Health, it was a disaster. So this is the furthest thing from strengthening and improving government.

There are over 800,000 Ontarians, many living in rural Ontario, who still do not have access to a family physician, yet the government is saying this is not important. It's as if they don't want to face the reality of our deteriorating health system and its result of their mismanagement. This government is letting our most vulnerable fall to the wayside without access to essential services that all Ontarians deserve and expect to be there when needed.

To add more fuel to the fire, the government has cut health care spending by \$54 million in this year's budget. That means there will be less money for long-term-care beds; in addition to services and positions previously offered in our hospitals, they are being eliminated or decreased.

In my riding of Dufferin-Caledon, the Central West CCAC continues to claim they have no more money to take on new clients, and as a result they have cut back or eliminated personal support worker support. Yet, the salary of the CEO, oddly enough, continues to increase. As a result of the lack of services from the CCAC, residents in Dufferin-Caledon have made some difficult decisions to ensure their health care needs are looked after, including going without the required service, paying for private care by taking on personal debt, or moving to other communities where the services have not been reduced or restricted. I think it's a terrible indictment of our Ontario health care system that a family is making a decision to leave their mother or their father four hours away because the programs and the services available for

that CCAC are better than Central West CCAC. So you're trading off access to health care for access to your family members, and it's shameful.

**0910**

This is proof that our once-proud health care system is going in the opposite direction of being strengthened or improved. The government is putting Ontarians in an unfair and difficult position by cutting essential services that Ontarians expect their hard-earned dollars to go towards. If the government wants to strengthen our province and make Ontario great again, then we need to ensure essential services are readily accessible when people need them.

Another important issue the government should take seriously to improve our province is the exorbitant energy rates that Ontario individuals, homeowners and businesses are facing. Time and time again, my PC caucus colleagues and the leader of the official opposition have argued that the skyrocketing energy rates in Ontario are hurting families and businesses in Ontario. It's by far the number one issue that I was hearing about during this summer recess, which in itself is rather odd because often energy rates are raised by homeowners in the winter months, but now I'm getting it year-round. This problem only gets worse if the government goes forward with their proposed sell-off of Hydro One.

Speaker, our province's energy sector has been broken for many years as a result of the mistakes made by this government, whether it is the \$2-billion smart meter scandal, the \$1-billion gas plant scandal or the over-reaching practices at Hydro One. In the Ombudsman's annual report this year, the Ombudsman noted that his office received 3,499 complaints about Hydro One in one year. That's an absurd amount. More problems will continue to come about if the government sells off Hydro One, and, of course, we've removed the ability of the Ombudsman to have any oversight. The sell-off will result in higher hydro rates for every Ontario family, when hydro rates are already unaffordable to many families and are leaving them in a state of energy poverty.

Just look at what the Ontario Chamber of Commerce said recently. In their report, they note that hydro rates in Ontario are adversely affecting families and businesses in Ontario. As a result, businesses will soon begin to leave our province—they quite frankly already have—along with jobs, unless immediate changes are made to curb the ever-increasing hydro rates in the province. Too often, I've heard from constituents and businesses in the community that exorbitant hydro rates are taking their toll on their respective budgets. Every time I meet with local manufacturers, hydro rates come up as the number one concern.

On top of that, we've already begun seeing companies closing up shop and moving to other jurisdictions because of hydro rates. They're not stopping production; they're stopping production in Ontario. The government should be looking for ways to help families and businesses and to protect Ontarians from the problems within Hydro One. Instead, they are ignoring Ontarians' concerns



and choosing to sell Hydro One behind closed doors without any independent oversight. It's why I'm so pleased that my colleague Todd Smith from—

**Ms. Lisa M. Thompson:** Prince Edward–Hastings.

**Ms. Sylvia Jones:**—Prince Edward–Hastings has been tasked with being the critic responsible for the sell-off. It's probably the number one concern that we have to face in this fall session.

Speaker, these are some of the most critical issues that our province is facing, and it's sad to say the government is doing nothing about it. We cannot continue to expect Ontarians to pay for the mistakes of the Liberal government. Let's turn our province into what it once was: the economic engine of Canada. That starts with having competitive energy rates, so that we can attract businesses and ensure that Ontarians can afford to live in our province.

I ask that this government take a deep, hard look into coming up with a credible plan to improve our province, but that will not happen if the government continues to bring forward pieces of legislation like this, which, while it has a fabulous name, doesn't actually do much to strengthen and improve.

While we are on the topic of strengthening and improving government in the province, we should fix the issue of paint peeling off of the Ontario licence plates. Over the course of the summer I've seen licence plates that have begun to bubble and/or peel off. What you may not know is, this is an actual manufacturing defect that the government has known about for three years but done nothing to fix. The worst part is, you can be given a \$110 fine for having an unreadable licence plate. Thank you, province of Ontario. It's puzzling that we ask Ontarians to pay for a manufacturing defect that this government has known about and hasn't done anything to resolve. We expect people to take responsibility for their actions, yet this government believes this standard doesn't apply to them.

I just want to reiterate again that Ontario has bigger problems than making minor updates to pieces of legislation. Whether it is a deteriorating health care system or unaffordable energy rates, these are the issues the government should be focused on and coming up with a credible plan to fix. Instead of introducing pieces of legislation like Bill 85, which has a grab bag of things that they need to fix and tweak, maybe we could actually deal with some of the underlying, deep issues that people are raising with us and have been raising in the last number of years. We talk about hydro rates. We talk about the manufacturing base disappearing. Let's actually do something about it.

Bill 85 is an omnibus, fix-it bill that does very little to strengthen and improve government. I would like to see substantive pieces of legislation that we can debate and bring forward positive amendments to.

**The Acting Speaker (Mr. Rick Nicholls):** I thank the member from Dufferin–Caledon, one of the newly appointed deputy leaders of the official opposition.

Questions and comments?

**Mrs. Lisa Gretzky:** It's my pleasure to stand up and join the debate on Bill 85 today. I'm going to expand on some of the comments made by the member from Dufferin–Caledon.

She touched on health care. Although I could talk for much longer than two minutes on health care, I'd like to share a story about my riding of Windsor West. We have Windsor Regional Hospital, and just four or five days ago there was an article in the paper where the CEO was talking about health care cuts—a change to the funding model that has affected one of the hospitals in my riding. These changes have resulted in our hospital having to absorb the cost of about \$20 million a year. That's a result of about 115 people who are sitting in acute care beds and who are waiting to be moved into long-term care, into rehab beds or into complex continuing care beds. The hospital is not receiving funding for those patients while they're in acute care beds. What that's costing the health care system and the hospital directly is about \$600 a day per patient. I think that what the government really needs to be looking at is how to properly fund the health care system, which means investing in long-term care and preventive measures as well.

The member also touched on hydro rates. As you know, as New Democrats, we are strongly opposed to the sell-off of the public hydro. People are already struggling to pay their bills. People have to choose between keeping the lights on or feeding their children, and certainly when the government sells off our public hydro, the rates are just going to go up, and that's going to make matters even worse.

Another issue that the member from Dufferin–Caledon touched on was smart meters. I would just bring back the fact that well over a year ago, we had raised the issue of smart meters and their safety. That was pushed aside by the government, only to find out that we do have smart meters in Ontario that are fire hazards and safety hazards. I think that if the government wants to name something “strengthening government,” they really need to look at the issues that are going on in the communities and fix them.

**The Acting Speaker (Mr. Rick Nicholls):** Further questions and comments?

**Mr. Mike Colle:** I'd like to comment on the member from Dufferin–Caledon. I just wish once in a while they'd come up with some positive things to say about this great province—just nothing but negative comments about the wonderful people who work so hard in this province. Sure, we've got challenges, and this bill tries to take care of the small things so the big things can work.

I know in Toronto here, we just got our new regional hospital built. The new Humber River regional hospital is operating. It's state of the art. The 407 is expanding into Peterborough. We have the largest transit construction projects in North America taking place. The Eglinton Crosstown subway is being built. Tens of thousands of jobs—this is a hard-working, successful province, and I just wish we'd come up with some new ideas from the opposition, not the same old whining, griping and belly-

aching. We need to build up this province because this province has incredible potential, incredible people, incredible skills. Our construction skills—we have more cranes up in the sky building Ontario than all the other jurisdictions in North America combined—building up this province. The opposition, all they want to do—

*Interjections.*

0920

**The Acting Speaker (Mr. Rick Nicholls):** Order.

**Mr. Mike Colle:** Mr. Speaker, look, I have the floor. I have the floor.

**Mr. John Yakabuski:** Well, start by telling the truth.

**Mr. Mike Colle:** Look, here we go again. Mr. Speaker, you have to have some control here.

I'm saying, this is a great province—

**The Acting Speaker (Mr. Rick Nicholls):** I appreciate the comments that the member from Eglinton—Lawrence is making; however, I do not appreciate anything that may be directed towards the Speaker with regard to controlling this Legislature. I will make those decisions. Thank you for the reminder.

I would ask that you continue—actually, your time is up now. Further questions and comments?

**Mr. John Yakabuski:** Mr. Speaker, when I heard this bill introduced, I was very, very optimistic—an act to strengthen and improve government. Then I started to read the bill and I was less optimistic. But I thought that maybe at the end I would read something that gave me some hope as well. Often, in a bill, you'll read—one of the last clauses will say, "This act comes into effect the day it receives royal assent." I thought, in order to strengthen and improve government, maybe that last line would say, "On the day this act receives royal assent, the Liberal government will resign," because that is probably the surest way of improving and strengthening Ontario.

If we look at what this government has done, particularly since Kathleen Wynne has been elected Premier—or appointed Premier, and then she went further downhill after she got elected Premier, because now she thinks she's got this massive majority and has got the support of the people of Ontario. She's dreaming in Technicolor, and we all know that. All you've got to do is look at the polls. Justin Trudeau is telling her what to say; now he's pulling the strings.

If you want to improve Ontario and improve government, you could start by sticking to what you promised you were going to do. In her first throne speech, she promised transparency and accountability to the people of Ontario, and we have got anything but transparency and accountability. Everything is under the shroud of the curtain. The Iron Curtain has descended around the cabinet table of the Liberal government. Winston Churchill said how it descended on Europe; here, it's descended around the cabinet table of the Liberal government, because there is no accountability and there is no transparency.

Let's take only the example of Hydro One, of which they never campaigned upon in any iota. They touched on the possibility of maximizing assets. You want to talk about riddles? This whole government is a riddle. They

never talked about selling Hydro One, and now all of a sudden this is their big main measure.

My gosh, I'm out of time, Speaker. I will have another chance, I'm sure. Thank you very much.

**The Acting Speaker (Mr. Rick Nicholls):** Further questions and comments?

**Ms. Teresa J. Armstrong:** It is a pleasure to be back. It is a pleasure to be back from the London—Fanshawe riding to hold this government accountable. There are a lot of things that we have to say on this side of the House and we hope this government's going to open their ears and listen to our suggestions. This Bill 85, which talks about strengthening and improving government—that's what we're here to do. We're here to give you suggestions on bills and on how to strengthen and improve this government. So having the member from Eglinton west—

**Mr. Mike Colle:** Eglinton—Lawrence.

*Interjections.*

**Ms. Teresa J. Armstrong:** Lawrence. All right, let's just keep our cool. We don't have to get all uppity about it.

The thing is, Speaker, we have to define our roles in this House, so let's be clear from this session forward: We are here to be critical of you. We are here to tell you what our constituents are telling us. And one of the things they're telling us is that if you want to improve and strengthen government, you need to be transparent, accountable and responsible to the people of Ontario and responsible to the people of London—Fanshawe with respect to the Hydro One sell-off.

I'll tell you, Speaker, a few months ago many people didn't even know what that topic entailed. Now, at other events, they're coming up to me and bringing up the subject, and they're saying that this government is wrong-headed on the sale of Hydro One. They're taking a public asset and selling it off without consultation. They're taking that revenue-generating public asset that we pay for under education and health care. That's not strengthening and improving government; that's putting us backward.

So with all due respect to the member for Eglinton—Lawrence, you need to hear our voices. That's what our job is here: to make sure we drive it home to you, so that you don't think all your bills are all that and a bag of chips. They're not, Speaker. There are lots of things riddled, and we need to be critical of every bill this government puts forward. That's our job. You need to pay attention.

**The Acting Speaker (Mr. Rick Nicholls):** Back to the member for Dufferin—Caledon for final comments.

**Ms. Sylvia Jones:** It always fascinates me when members in the Liberal caucus get so angry when what we are bringing forward is a different point of view.

I don't presume to understand what the member from Eglinton—Lawrence did for the last four months, but I know that I spent my four months in front of people, talking to people who are impacted by the policies of this government.



One of our roles as legislators is absolutely to come here and raise issues. Bill 85 has this wonderful name: Strengthening and Improving Government Act. It doesn't do that. This is an omnibus bill that tweaks things that you missed the first time. It's okay. We all make mistakes; we try to fix them. But don't put a—what's the line? A silk—

**Mr. Steve Clark:** Make a silk purse out of a sow's ear.

**Ms. Sylvia Jones:** A silk purse out of a pig's ear.

You cannot name a bill and suddenly make it more important than it truly is. This is a fix-it bill. I'm okay with that. I can deal with that. There are some things here that need to be tweaked. But it is not going to strengthen and improve government in the province of Ontario. So when we point that out, don't get all upset. It's just the reality.

When we are here, we are speaking on behalf of our constituents—in my case, from Dufferin-Caledon. I find it really hard to believe that the member from Eglinton-Lawrence has not heard a single negative thing from his constituents, but that may well be. I'm not going to second-guess him. What I am going to do is take my responsibilities seriously as a legislator and bring those issues to the chamber, and I've done that with Bill 85.

**The Acting Speaker (Mr. Rick Nicholls):** Further debate?

**Mr. Jagmeet Singh:** This is my hour lead, so sit back and relax. We'll have an hour to enjoy some comments about this bill.

Good morning to everyone. Welcome back from the summer break. It's not much of a break, though, really—we work hard in the ridings—but I'm glad to be back.

This bill in general is not an overly controversial or contentious bill. The bill does some—

**Ms. Teresa J. Armstrong:** Housekeeping.

**Mr. Jagmeet Singh:** Housekeeping.

**Mr. John Yakabuski:** That should be in its title, for sure.

**Mr. Jagmeet Singh:** That's what I'm going to get to. Thank you very much to my colleague.

The bill addresses certain housekeeping matters which are important and need to be addressed. I'll go over some of the points which, again, are non-contentious and are not much of a concern, and then go into some of my suggestions.

The bill modifies or looks at amending a number of—we can group it into ministries. It looks to amend issues with the Ministry of the Attorney General, specifically the Courts of Justice Act. There are issues around the Ministry of Labour and allowing for and improving the ability to collect monies owed to employees. There are also components that address the Ministry of Transportation and the Ministry of Health and Long-Term Care. So there's a variety of ministries that are touched by this bill.

Let's talk about some of the issues that are non-contentious.

My previous life provided me a lens into the criminal defence world, and particularly into the—my previous

life before politics was in law. In that capacity, as a lawyer, I did acknowledge and I did realize, or I did notice, that there were considerable areas in the justice system that could be improved, that could be streamlined. This is an incremental step, but it's still a step that can be acknowledged.

The Family Court system: I've received numerous complaints, while I was a lawyer and then as an MPP, that there are certain inefficiencies. It's difficult to navigate the system, particularly in Family Court, so there are some changes here that would perhaps smooth out some of the process, maybe make it a little bit more accessible and perhaps make it somewhat smoother. But really, the Family Court and the family law system in Canada need to be seriously overhauled. There are a number of areas where people who are unrepresented can't get very simple orders, get them passed, get them made in court. There are a number of areas which would seem to be very common sense but it's very difficult, unless you're represented, to actually get anything done. So I think a lot more could be done.

0930

With respect to the Ministry of Labour, I think this is a step in the right direction. There are countless times when people are owed money but there are no significant powers to collect the money so they can pay employees. Allowing for this ability would make sense, and it aligns with the tribunal rulings on this matter.

With respect to the Ministry of Transportation, again, there are minor changes but important, I guess, in terms of allowing or improving the regulations and safety around ambulances, prescribing the inspection and maintenance standards, and ensuring that the prescribed equipment is on board.

The other change in the Ministry of Transportation is the change around notification of vehicle suspensions. I have a concern around this. It's already something that people miss in the mail, to have an over-the-counter notice provided. It should be in writing and it should be something that the individual signs off on to ensure that there is some transparency in that. So if I just say over the counter "Your vehicle is suspended"—there needs to be something more than just oral; it has to be something that's provided in writing. That's an area of concern.

But overall, my concern is this: The bill does some housekeeping matters which are, of course, important. Another overlying theme to the changes is aligning the provincial language with federal language to keep it in line, to keep things consistent, which is again something important. But my issue is that the title of the bill, Bill 85, is An Act to strengthen and improve government by amending or repealing various Acts. This is the issue. If this bill was entitled "the bill to address some minor housekeeping measures," it would be accurate and there would really be no issue. But what the title of this bill does is it opens up the discussion, which I'm now going to get into. If we really want an act to strengthen and improve government, there are some suggestions that I have.

Let's begin with the Ministry of Labour. The amendment that the government is suggesting does achieve an incremental improvement. But does it truly strengthen and improve the government? No, not really. This is what we need to see in the Ministry of Labour. If you don't have compliance and you don't have enforcement—so no compliance and no enforcement—there's really no point to any legislation. The major issue with the Ministry of Labour is that there lacks sufficient enforcement. There are a number of protections that are actually included in the Ministry of Labour, that are included in our employment act, but many of those protections become meaningless when there's no enforcement. To ensure that there's proper enforcement, the Ministry of Labour needs to have the staff to do so. There needs to be an increase in staff. There needs to be an increased and regular process for enforcement. There also needs to be a more aggressive, more transparent and more effective complaints mechanism.

There are a number of issues that come up, particularly in my riding. One of the major issues people face is precarious employment. People are finding they're no longer able to get a full-time job. So instead of a full-time job or a permanent job, what they're finding is part-time and temporary employment. Often these jobs are through temporary job agencies or temporary help agencies.

Now the problem is that when you're working in a temporary help agency, you already feel insecure because your position inherently is an insecure position. You don't know if you're going to be working tomorrow. You may be called in; you may not be called in. So someone working in that context is very unlikely to raise any concerns. They're already nervous about their job security. They don't have job security. How can we expect someone in that circumstance to then call up and complain to the ministry if there is any violation in terms of their labour rights? There needs to be a mechanism that allows for folks in those positions to very easily complain and notify the ministry of issues, and I've heard a number of issues. For example, in many cases people who are temporary workers are not given the break time that the permanent workers are given; people who are temporary workers often aren't paid appropriately or paid on time. There are a number of issues that come up, but those workers don't see a way or an avenue to complain about that. That's an area where, if we really want to improve the Ministry of Labour, as this bill proposes in its title, "to strengthen and improve government," one way would be to really strengthen and improve the complaints mechanism and then, most importantly, to have a robust system so that we make sure people are able to enforce the rights and protections that they do have. That would be an area in terms of the Ministry of Labour.

The Ministry of Transportation: There are some significant areas that, if the government really wanted to strengthen and improve the government, they could do a lot of work. In general, there's a theme that we're seeing in the Ministry of Transportation, and it's the idea of outsourcing. I'm an evidence-based kind of person. I had

a science degree before I got into law school, so I like to look at the evidence. The issue is that if our government can make the argument that outsourcing created greater efficiencies, created better service, then I would have to look at it. I still believe, on principle, that certain things should remain public because it's a public good and it's in the best interests of the public for a certain service to remain public. But I would at least look at the case if there's evidence that suggested that in some way outsourcing was beneficial.

In this case, the case that I'm going to bring up, the evidence is incontrovertible. It's very clear that the outsourcing that the Ministry of Transportation has conducted has in fact put the lives of Ontarians at risk. It has been inefficient. It has not provided a better service; in fact, it has provided a much worse service. Specifically, there are two areas in the Ministry of Transportation that I want to touch on in terms of outsourcing, because the bill purports to amend certain acts that impact the Ministry of Transportation with the purported purpose to improve government. I'm suggesting that it's not doing enough. There are some glaring holes or gaping holes where the government could actually step in and improve. One is Serco, as the outsourced licensing and testing provider for commercial vehicles and testing in general for drivers, and the other one is snow removal.

The Auditor General of Ontario released a very scathing report that went into detail and looked at the snow removal process and the fact that it has been outsourced. They compared when it was not outsourced to when it was outsourced. What is very troubling is the Auditor General came out with the report that conclusively stated that lives were lost because of this outsourcing; that the Ministry of Transportation is essentially responsible for roads that were not cleaned properly because of this outsourcing: roads where snow removal was not conducted in a proper manner, in an efficient manner. It left people driving on roads that were in terrible condition and resulted in accidents, and some of those resulted in fatalities. These fatalities were avoidable, if the government had not outsourced its snow removal duties.

It's very troubling that the government decided to go down this route, and the evidence all points to the fact that this route was not the right way to go. In fact, it put lives at risk, and it's something that must be changed. I'm hoping the government listened to that report and plans to—for this upcoming winter—change the process, come up with an alternative, perhaps go back to the public snow removal system they had before, because the system is broken and is clearly not working.

With respect to Serco, a number of issues come up. We've seen complaints about the commercial licensing process in general. I met with a number of concerned constituents who raised issues around the licensing process. One of the things they raised is that there are limited facilities and the facilities aren't able to cope with the demand. We've seen, in certain areas, particularly in the Peel region, that there used to be two facilities that were accessible in the Peel region. One of them was shut



down. The only remaining system is so clogged and so backlogged with folks who are going there to get their testing done, to get their licensing done, that it takes hours and hours for anything to be processed. The service is slow. That's one of the major issues.

The second thing is that we've seen inconsistencies with examination. There have been problems raised. The Toronto Star did a very outstanding job in looking at some of the problems around that licensing process. Again, these are problems because it has been outsourced to Serco.

Another area of concern that has been raised is that there is an unfair system based on the fees that are applied to schools. If you're part of a school that provides education in driving, particularly in the commercial field, there are unfair fees that are applied to those schools. Again, this is a system that, since Serco has been initiated, that's when this problem arose.

There are a number of areas where Serco is simply not providing a good service, an efficient service and an adequate service to the people that it's trying to serve. Again, this is another example where the Ministry of Transportation, if they really wanted to do as the bill says, if they really wanted to strengthen and improve the government, could start by addressing those two areas of concern in the Ministry of Transportation file, one being the snow removal and the second being the outsourcing of the licensing under Serco.

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So we've addressed now the Ministry of Labour and the Ministry of Transportation. The bill also looks at, to a smaller degree, addressing some issues around the Ministry of Health. Again, while the changes in this bill are non-controversial—there's really no issue at this point in time—there is an issue with the Ministry of Health, broadly speaking. If, again, this bill purports to strengthen and improve the government, well, this bill is falling short of that lofty goal.

In the Ministry of Health—a local issue I can point to is Brampton. Brampton is a city of 500,000—a city of over 500,000, in fact. In a city of that size, it needs at least two hospitals to service it. Brampton is somewhat of a sprawling suburb. Getting from one end to the other end of the city does take a lot of time, particularly with traffic and gridlock, which is another issue that we'll get into later on in this speech. Because of the size of the city, there's one hospital, Brampton Civic Hospital, that is overburdened. There had been numerous promises made by this government to not close the other facility, the Peel Memorial Hospital site, and then they closed it. Then they indicated that they would renovate it and not actually demolish it. They broke that promise; instead of renovating, they actually demolished it. Then they promised to again rebuild, and they have not rebuilt it. It has been years and years of broken promises with respect to that hospital.

So if the Ministry of Health really wanted to strengthen and improve government, they would improve the accountability on these types of promises. When they

promise to build something or promise not to demolish something, they would follow through on their promises and be more transparent with those decisions. Right now, Brampton is suffering because there aren't two hospitals, and it's an underserved region because of that. If the Ministry of Health really wanted to see a bill that strengthens the government, it would actually improve accountability, broadly speaking, but specifically in my region and in my area, it would make sure that we actually see the second hospital, Peel Memorial Hospital, built and established.

In addition to these areas, there's a particular area where I think there's going to be some lengthy discussion, and I think I'll move into that area now: It's the Ministry of the Attorney General. In the Ministry of the Attorney General, we spoke about one of the changes, which is on the Family Court side, and that's fine. Again, that's an incremental change but addressing an outstanding concern around Family Courts. I think a lot more can be done to speed up the efficiency of Family Courts, but beyond that, there is a system that the government is proposing that is very, very troublesome. In fact, instead of strengthening the government, it weakens the government and it weakens other services we receive as citizens. What I'm talking about is the system that was brought up earlier by a previous colleague in her speech, the administrative monetary penalty system. Its short form is AMPS.

To break down AMPS and what AMPS is: In certain cases, it makes sense to have an administrative system where, if you park your car in the wrong space at the wrong time, you get a ticket, and there's no court date for that. You have a payment system where you can go and pay the ticket. There is a mechanism to allow for perhaps a reduction in payment, and that's about it. You have a payment system. You get a parking ticket. You can either pay the ticket or there's a mechanism by which you can perhaps apply for a reduction in the ticket. When it comes to things like parking tickets, perhaps we can understand it. There isn't an impact on our driving record; there isn't an impact on our insurance rating. So there isn't a significant impact with parking tickets. But the problem arises when you apply an AMP system to something where there are bigger or larger implications. So, again, with parking tickets, there was a consultation process, there was a recommendation, and it indicated—in the Provincial Offences Act, we refer to certain offences under part I or part II or part III. Part II offences are parking tickets. That makes sense; I can see that. There is still a reduction in our access to justice any time you remove the right to go to trial, so there is a concern with that, but if you balance the pros and cons, in a parking ticket scenario, I can see why there is greater efficiency in perhaps bringing in an AMP system.

But let's look at the other scenarios: With serious driving offences, with things like speeding tickets, running through a red light, careless driving, in those circumstances, they are potential findings of guilt—if you're found guilty of them—which can have severe impacts on

your driving. Now, the AMP system might claim that they're not going to impact your demerit points and they're not going to impact your personal record. The other question that arises, then, is: How would you deter someone? If I've driven and I've speeded and there's no demerit point system, or if I've driven carelessly and there's no demerit point system, how can we discourage that type of driving? That question arises. So folks have posited or speculated that it's unlikely that the Ministry of the Attorney General or the Ministry of Transportation will do away with the demerit system.

Now, potentially, we have an AMP system where you don't have a right to go to a trial and you are going to potentially suffer from significant demerit points and this might significantly impact your insurance. Broadly speaking, what it does is, it takes away your right to a trial. Why is the right to a trial so important? This is why I think the government is actually—if they do implement this system that they're proposing to do, that the Ministry of the Attorney General is looking at doing—it's actually going to weaken the government, and, perhaps more so, weaken the rights of the citizens. This is the reason why: Our right to a trial is, broadly speaking, our chance to establish or protect this principle that we deem all people innocent until proven guilty. In fact, this presumption is enshrined in our charter. Section 11(d) of the Canadian Charter of Rights and Freedoms enshrines this principle, that we, as a society, are held to or bound by this principle that people are to be presumed innocent until proven guilty. That principle is an overarching principle of law. It's something that is very tied into the principles of rule of law, and it creates a more just and fair society when people are presumed to be innocent unless there's sufficient evidence to prove their guilt. That's the way lawful societies work. That's the way free and just societies work.

Doing away with the right to go to trial will seriously infringe on that principle. If you are immediately deemed to have been guilty just because you're clocked at a speed or just because an officer sees a vehicle drive through an intersection, it immediately gets rid of that presumption. There are numerous cases where there is misidentification of a car—a police officer saw one car but it very closely matched the description of another. There are various scenarios that can happen. Ridding the citizens of that right to be able to challenge the evidence in court is a serious infringement on our charter-protected right of being presumed innocent.

Beyond that, going to trial provides a check and balance, and in society—particularly in the context of a growing tension between the police and the public—having the ability to go to trial and test evidence gives the public a check and balance to ensure that they're being treated fairly, that they are not having their rights infringed. Once that right is removed, once the right to go to trial has been removed, it removes entirely a check and balance.

I'll give you a specific example. One of the issues coming up time and time again, particularly in Toronto

but something that's an issue broadly speaking across all of Ontario, is the issue of carding. To make it very clear, carding is the process by where—and the issue that's been of concern is when people are stopped for no specific reason, they are asked a series of questions and then their information is recorded in a database. When carding is arbitrary, it's something that violates the charter. If there's any reason provided—if there's any reasonable grounds, if there's any suspicion, if there's been a tip—then it no longer is arbitrary. What our position is as New Democrats and my position personally is that arbitrary detention is something very clearly outlined in our charter as something that is not acceptable. We are protected from arbitrary detention under section 9 of the charter. So where we have arbitrary carding or arbitrary street checks—that's where there's no reason provided, there's no reasonable grounds, there's no connection between any sort of evidence and the actual act of stopping someone and requesting or demanding information and then recording that information. When there's no connection between any evidence or any reasons or any suspicion and the act of stopping someone, then that's an arbitrary detention, that's an arbitrary carding or an arbitrary street check, and that has no place in Ontario.

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Discriminatory detention or discriminatory street checks also have no place in Ontario. Where someone is discriminated against not because they're the subject of an investigation, not because there's any clear evidence that links that person to some sort of suspicious behaviour and when it's simply the case where someone is stopped because of the colour of their skin, because of their age, because of certain discriminatory features, that is something that has no place in Ontario. It has no place in our province; in fact, no place in Canada.

Arbitrary detention through arbitrary carding and arbitrary street checks: They have no place in Ontario. In addition, discriminatory carding and discriminatory street checks have no place in Ontario. If we do away with the right to trial and implement an AMP system, one of the mechanisms, one of the tools that people have to challenge these types of discriminatory stops or discriminatory street checks or arbitrary stops, is removed entirely.

I can give you an example. I'll withhold the name. There was an individual that I provided some legal advice to who was stopped when walking into a juice store. His ID was requested by the police officer, who said, "I would like to see ID. I need to see your driver's licence." At that time the individual said, "I don't want to provide my driver's licence." They're walking into a juice store, and it's their right not to have to provide ID at that point—identification in terms of an actual physical driver's licence. The officer indicated that, "I saw you driving earlier and you had committed an offence while driving." The individual said, "That's fine," and then the officer again requested, "I need to see your driver's licence right now."



To put this into context, what if the individual did not have his driver's licence? What if the individual had left a wallet back in the car, or whatever the reason was? The individual said, "No; I don't want to provide my driver's licence." The officer then cautioned the individual and said, "If you don't provide your driver's licence now, I'm going to arrest you."

The individual was then arrested. This individual was a lawyer in good standing with the law society. He was arrested and put into the back of a police car. This entire scenario could have been avoided. The individual was put in the back of a police car. The police officer asked, "What's your name?" A name was provided right away and a date of birth was provided right away and the officer was able to ascertain the identity.

This case was taken to court. The case was a simple Provincial Offences Act, it was a violation of the Highway Traffic Act, but the greater problem was the fact that the police officer infringed on this individual's Charter of Rights by demanding a driver's licence and then arresting the individual for not providing a driver's licence and not simply asking for the ID and saying, "I need to identify you because I want to lay a charge under the Highway Traffic Act. What's your name? Can you please identify yourself?" That question was never asked.

If there had been an administrative monetary penalty system, there would be no remedy in this situation. There would be no way to say, "I was treated unfairly. I was put in the back of a police car. I was wrongfully arrested, and there was really no reason to do so." There would be no way to challenge it. Because there is a right to go to trial, the individual, who is a lawyer as well, took this case to trial and put before the justice of the peace the evidence and said, "The officer at no point in time asked me to identify myself; at no point in time asked me to provide my name; at no point in time said, 'I would like to lay an offence or a charge or a ticket against you and I need to know your name so I can lay that ticket.'" At no point in time was that ever provided. The issue that the police officer stuck by was, "I want to see your driver's licence."

Under law, you don't have to provide your driver's licence when you're not in a car. You do have to identify yourself when you're being provided a ticket. To take away someone's liberty, to handcuff them, put them in the back of a police car because the police officer didn't have the training to know that they should have asked for the identity—as in, asked for the name—as opposed to asking for the driver's licence, was a serious infringement of that individual's rights.

In this case, the individual was a lawyer, who was able to defend himself, who was able to go to court and make the arguments. What if the individual didn't know his or her rights? What if they weren't someone who was proficient in the law? There would be a serious infringement of their Charter of Rights. They would have been placed in the back of a police car for no reason, for not doing anything wrong, and there would be no remedy.

Because of this ability to go to court, the justice of the peace issued a very stern decision and said that the police—maybe this particular police officer was not at fault, but there's clearly a lack of training that existed here, where the individual didn't know that the law is very clear that it should have been a demand for the person's name or identity instead of a demand for the driver's licence. In this circumstance, there was no need to arrest this individual, to put them in the back of a police car. To subject him to that sort of humiliation and that sort of public shaming was completely inappropriate.

Because of the inappropriateness and the lack of training and the infringement of charter rights, the justice of the peace withdrew all charges against the individual. That was a great remedy, not just for the individual but because it sent a message that police officers should receive appropriate training. We respect the front-line officers that do a great job, great work in our community, but there are incidents where there is a lack of training and there are violations that occur. We want those to be addressed in a systemic way. That could never have been addressed but for the fact that there was an avenue, a tool, a remedy to go to court and to challenge it. That's one of the reasons why it's so important to maintain this right to go to trial.

Again, going back to the idea of carding and street checks, when this is such a glaring concern that many people in our communities, particularly racialized communities, particularly young people, are being discriminated and being stopped unfairly without any reason, without having done anything wrong, without being the subject of any investigation—when they're being stopped in this manner, some of the stops might be simply walking on the street; some of them might result in a provincial offence. It might be a Highway Traffic Act or some other sort of event.

If you've been unfairly stopped and if there has been some discriminatory practice involved, that's not going to show up in an administrative monetary penalty system. The AMP system is simply going to say that you crossed the street or your light was out or whatever the situation is, and here's a fine; pay the fine. If you want to challenge that and say, "I was discriminated against," or, "This is arbitrary," or, "There's no fairness here," there's no way to do that. It would actually exacerbate an already major concern, the concern around unfair treatment by, again, people based on various discriminatory factors. That is already something that happens. On top of that, now there's one less remedy to address that. That's completely unfair and the wrong direction for our society, but particularly for this government to go into.

Other areas: While this bill looks to amend a number of ministries, again, it doesn't really strengthen the government. I'll give one example. If the government really truly believed in its bill's name, which is to strengthen and improve the government, then let's look at the Ministry of Energy. This bill does amend a series of acts that impact various ministries. One area where they have not brought in an amendment, where they should

have brought in an amendment and we would have applauded them for doing so, is in the Ministry of Energy. In that file, the government has again, instead of moving to improve or strengthen government, weakened government and in fact weakened accountability and transparency. By legally, in legislation, doing away with, in the previous budget that was passed before we rose for the summer break—the government passed legislation that removed the Ombudsman from providing accountability and oversight to the energy file.

The Ministry of Energy, particularly Hydro One, the energy file, was one of the most complained-about areas of our government—one of the most complained about. It received one of the highest number of complaints around energy, and particularly around billing. This is still a public system. Under the public system and under auditor oversight, the public was able to complain about issues around billing. That issue made it to the Ombudsman's office. The Ombudsman was then able to conduct a very extensive investigation, one of the largest investigations they've ever conducted, into that. They were to find that there were significant systemic problems around billing. People were being overbilled, and it wasn't just a one-off situation; it was systemic.

The Ombudsman was able to isolate that problem, identify that problem and then provide a report to the government. That is something that strengthens our government. That's something that strengthens the oversight of a very integral system, the electricity system. It's something that's essential, very important to us. The government is now removing that accountability mechanism. It's removing that ability for the Ombudsman to provide that oversight. That doesn't strengthen our government. That doesn't strengthen oversight; in fact, it weakens it. This was an opportunity where the government could have introduced legislation to rectify that mistake, that very serious mistake, and make sure that the Ombudsman does have oversight, does have a mandate to look into and investigate issues around energy, but they've removed that. So they've removed that independence and, broadly speaking, if the government truly wanted to make improvements or make itself stronger, then they wouldn't be selling off Hydro One. Hydro One is something that provides the province with a significant source of revenue. It's something that's very sustainable. It's something that's not going to go away at any point in time—we're always going to need electricity—and it's something that's not a luxury. It's an essential need.

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Electricity in our society is increasingly becoming something that we need in order to do our jobs, to engage in higher learning or education. It's dependent on access to computers and having the ability to access the Internet, all of which require electricity. More and more we're seeing, in terms of sustainable transportation, a shift towards more electric-powered vehicles, whether it's infrastructure like subways and streetcars that are run by electricity or even personal vehicles. We're now seeing a

trend towards greater use of and more opportunities for and more options for electric-propulsion vehicles.

Given the trend where electricity is becoming more and more important, it's a sustainable option. It's something that is the future. The future will have a greater reliance on electricity, hopefully with a principle around reducing our consumption and making sure we have higher efficiency, but our society is geared towards more and more use of electricity.

In light of that, it makes no sense at all to me that our government would sell off something that's such a vital, essential piece of infrastructure, something that's so important to our future of growth, something that's so important not only to things like transportation and education but also manufacturing. Many of the manufacturing bases that we look to in terms of good-paying jobs and to build up our economy, to make sure our economy is diversified—manufacturers need a steady supply of affordable electricity. And selling off this electricity, making it private, removing accountability mechanisms, removing the government's ability to have more control over it—these are all steps in the wrong direction. These are all going to weaken our government, weaken our protection as citizens, and are clearly the wrong decisions. Again, if the government truly wanted to follow through on what the bill's title is, which is to strengthen and improve the government, then on this file specifically, they could be going in the opposite direction. What they're doing is actually something contrary to the title of this bill. They're actually weakening our position.

Overall we have a bill which seeks to address some housekeeping measures to fix certain things that need to be fixed and to move things along with the times, which is appropriate. But again, this is a greater theme of missed opportunities. The government, if they wanted to strengthen and improve the government, could do a lot more. And there are serious issues that are impacting people.

Another area that's impacting people very significantly, and it intersects with consumer services and government services, as well as, to a lesser degree, the Ministry of Finance, is an issue of the cost of living. The government has a role to play in the cost of living. There are certain issues that the government has a direct impact on. One of the areas that constituents have spoken to me about and that the government can do a lot more to strengthen and improve our lives if they were to take steps on is auto insurance, for example.

Auto insurance is something that we mandate. The province has said very clearly that people must have auto insurance. Now, as soon as the government mandates something and says you have to have something—you have to have auto insurance. If the government on one hand says you must have something, the government also has a responsibility and an obligation to make sure that that product is affordable. So if the government on one hand says that you must purchase something but on the other hand doesn't provide the appropriate regulations, the appropriate oversight, the appropriate mechanism to



ensure that that product is affordable, then the government is failing to do their job. With respect to auto insurance, it's very clear that the government has made decision after decision which certainly improves the conditions for insurers, the insurance companies, but does very little to improve the circumstances for the consumer. That's another area where the government could strengthen and could improve, but they're not.

I'll give you a concrete example: While the government has reduced the costs for insurance companies by implementing severe limitations in terms of caps for what people can claim when they are injured—so they implemented a series of caps. These caps significantly reduced the amount of coverage that we receive. By reducing the coverage we receive, the government has benefited the insurance companies. They've reduced their costs as well. They don't have to pay out as much. But as a result, we haven't seen any significant reduction in auto insurance premiums.

We put a lot of pressure on this government back in 2013 and said very clearly that the people in this province are paying the highest auto insurance premiums. People are very upset about the fact that they're paying such high auto insurance premiums, and something needs to be done. We started off and provided one solution. We said, "Listen, one solution is, why don't you get rid of the postal code criteria? Instead of having insurance rates set by where you live in one broad region, have it set by the way you drive."

So we proposed Bill 45. Bill 45 would have seen, in census metropolitan areas like the GTA, that people all be treated the same in one broad area. People in northern Ontario could be treated differently. People in southern Ontario could be treated differently. People in rural Ontario could be treated differently. But in one similar area, like Ottawa or the GTA or the greater Hamilton area, there shouldn't be a 100% or a 200% difference in premiums from one region to another region—which is perhaps one area in the same city, or the same GTA—that are only 10 or 20 kilometres apart from each other. That seems to be absolutely unfair. The government voted against that. Both the Conservatives and the Liberals voted against that.

We said, "Fine. There is another option for you to strengthen and improve the government with respect to this issue. If you're not willing to get rid of the unfairness of discriminatory practices when it comes to where you live and how much you're being charged in insurance, then why don't you just reduce insurance, broadly speaking?" We've seen such a reduction in our benefits, but we haven't seen any reduction in our premiums. We put forward a motion. It was a motion that I was proud to introduce. It was an opposition day motion, and it said that we call on this government to reduce auto insurance by 15%.

We were very encouraged by the fact that the government, after our hard work and after all the work we did around raising this issue, all the work we did in terms of submitting petitions—we were able to submit 10,000

petitions on the issue that auto insurance rates were too high. We were happy to see that after we introduced this motion, the government then agreed to this motion. It's quite rare for a government to support an opposition motion, and I applaud the government for doing that. That was a good step. They said, "Yes, we agree that auto insurance should be reduced by 15%." The NDP and myself were able to raise this issue. I presented this issue in this House, and the government supported the motion.

Then we said, "The government has now indicated that they're willing to move on this idea of reducing auto insurance by 15%," so we put that forward as a budget demand. In the budget demand—there were a number of demands that we put forward, and of those five demands, one of the major demands was the fact that auto insurance premiums were too high and we wanted to see a 15% reduction.

We were again encouraged because the government, through our pressure, through putting some attention on this issue, through applying pressure on the government in a minority situation—we put pressure and said, "We need this reduction." The government agreed, and they promised an 8% reduction in one year and a 7% reduction in the following year.

We waited one year, from 2013 to 2014. We spoke to people in our ridings, spoke to people in the Peel region, spoke to people in the GTA, and said, "Have your premiums increased or decreased? The government has promised to reduce it by 8%." People resoundingly said that their premiums, instead of going down, went up.

We said, "Well, the government has now broken their promise. They supported a motion to reduce 15%. They supported a budget where we asked for this. They passed laws. Now they've broken, essentially, their own law. They've broken their promise, and we're left with a situation where people are seeing their insurance premiums going up instead of going down."

We asked people about this. They said, "The rates are going up." We said, "If rates are going up, the government has broken its promise. We can no longer support the government." We took this issue and said, "We will fight an election on the fact that this government broke their promise to reduce auto insurance rates."

The community supported certain areas, and we were thankful for that, but broadly speaking, the community then decided to vote the Liberals back into power, even though they had broken their promise. We respect the decision of the community.

But now we're left with a situation where the government has broken their promise. They haven't met the deadline of reducing insurance rates in the first year by 8%. Now we're into the second year, and they're certainly not on any track to meet the second deadline of an additional 7%. So we don't see the 15% reduction happening.

This bill could have implemented some changes, if they wanted to strengthen and improve the government. This is a major concern. This was a promise made. They could have implemented legislation that would have

strengthened the public's trust in the government by saying, "Listen, we acknowledge that we broke our promise, and we are going to implement certain steps to make sure that insurance rates do come down." Again, they missed that opportunity here. They amended various acts—various ministries are impacted by this—but a serious area where they've broken a promise is that the government has not implemented any changes or any legislation that would actually rectify that situation. This is a lost opportunity.

We've hit a number of areas where I've provided suggestions. If this bill is to be approved, it can be improved by strengthening, really, in a substantial way, various ministries. We can look at the Ministry of the Attorney General. There are ways to strengthen what's an incremental change in this bill, but we can make it a significant change.

We could protect the right to a trial and enshrine that protection. Where there's a serious impact, perhaps, on your driving record or on your insurance liability, these are serious matters, and you deserve a right to a trial. Broader than just protection of the individual when it comes to your personal demerit points and perhaps implications to your insurance, but broadly speaking, the right to a trial provides an accountability mechanism. It's a check and balance. Removing the right to a trial would weaken a check and balance, would weaken our society. This is an opportunity for the government to strengthen and improve the government by saying, "Listen, we will enshrine the right to a trial. You do have a right to a trial in these circumstances. We will not implement an AMP system, particularly in areas where there are serious implications in terms of your rights."

A parking ticket scenario is very different. I wouldn't be overly opposed to the parking ticket scenario where an AMP system is implemented, where if there is clear evidence that you violated a parking bylaw and you're provided a ticket, you don't have a right to go to a trial. In that circumstance, I think that's something that many folks can support.

In fact, the Ontario Paralegal Association released a position paper on this issue and said that, with part II offences—parking ticket offences—maybe that's something where the AMPs might be an efficient system, and there's no major concern in that area. But they did raise concerns around the impact to access to justice on implementing an AMP system for part I or part III offences, offences that have a broader impact on your driving record and, broadly speaking, what I had said earlier, have an impact on that check and balance when it comes to your interaction with the police.

I spoke about the Ministry of Labour and the fact that in the Ministry of Labour, if we really want to implement some serious changes while allowing for the collection of monies owed to employees, this is a good step. I support that step.

There's a lot more that can be done in terms of really looking at how we can implement a complaints mechanism so people can complain and raise issues about the

workplace without any fear of repercussion, without any fear of losing a job. In my region, when they're already so precarious in terms of their employment, they're not faced with the fear of losing something that's already so insecure, something that's already so unstable.

Beyond that—and I really want to reiterate this point—if you don't have compliance, if you have no enforcement, there's really no point. So if employers are not complying with the labour act and the Ministry of Labour does not have the appropriate enforcement in place, then the laws that we have literally become meaningless. They're just words on paper. The only way that those words on paper become meaningful in people's lives is when there is enforcement, when the enforcement protects the rights of workers. That's something that the Ministry of Labour could do. It could take this opportunity to strengthen the Ministry of Labour more so than in just this one area.

I notice that I'm getting close to my time to end. Maybe I'll just leave it at that, Mr. Speaker. If you're happy with the time at this point, I can wrap up here.

**The Acting Speaker (Mr. Rick Nicholls):** I'd like to thank the member from Brampton–Gore–Malton. Additional time will be granted at a later point in time.

*Second reading debate deemed adjourned.*

**The Acting Speaker (Mr. Rick Nicholls):** Since it is close to 10:15 right now, this Legislature stands recessed until 10:30.

*The House recessed from 1014 to 1030.*

## INTRODUCTION OF VISITORS

**Mr. Steve Clark:** Today is the Canadian Pulmonary Fibrosis Foundation's fourth annual awareness day at Queen's Park. I see my constituents are up there: Jacqui Bowick-Sandor and her husband, Bruce. Welcome to Queen's Park.

**Mrs. Marie-France Lalonde:** On behalf of the member from York Centre, who unfortunately is not here today, I would like to welcome Robert Davidson, the president of the Canadian Pulmonary Fibrosis Foundation and a constituent from Markham–Unionville, who is here for the fourth annual IPF Awareness Day.

The CPFF will also be hosting a reception this evening in the dining room, from 5 till 7 p.m., and all are invited.

**Mr. Patrick Brown:** It's my pleasure to recognize Wendy Johnston, who is the grandmother of Calvin Kudar, who is beginning as a page here at Queen's Park.

**Hon. Bob Chiarelli:** It's my pleasure to introduce the Honourable Drew Caldwell, Manitoba's Minister of Municipal Government and responsible for the energy portfolio, who is visiting with us today in the east lobby.

**The Speaker (Hon. Dave Levac):** Thank you. Member for Nepean–Carleton.

**Ms. Lisa MacLeod:** Thank you very much, Speaker. It's my pleasure to introduce in your gallery today an individual who used to work here for the former leader of



the official opposition, our friend Jacqui Delaney. It's good to see you, Jacqui.

**Hon. Michael Gravelle:** I want all the members of the House to greet my long-time executive assistant in my Thunder Bay–Superior North constituency office, the hard-working and devoted Larry Joy.

**Hon. Mario Sergio:** From the riding of York West, I have 105 wonderful ladies belonging to the Elspeth Heyworth Centre for Women visiting Queen's Park. I wish them a wonderful stay and hope that they enjoy question period here in the House.

**Mr. Lorenzo Berardinetti:** It's my pleasure to introduce the mother of page Krishaj Rajbhandari. The mother is Jasmine Rajbhandari, and she's here with us today.

**Mr. Lou Rinaldi:** My comment today is not to introduce anybody but to acknowledge the loss of a great friend of this place. Last night at about 10:30, former member and cabinet minister Hugh O'Neil, from the riding of Quinte, passed away in his 79th year. My condolences go to Donna, his wife, and his family. It's a sad loss for here and a sad loss for the community.

**Ms. Cindy Forster:** I'd like to introduce the parent and grandparent of page Alexander Ce Wang. They're in the gallery today. The father is Pike Ge Wang; the grandmother is Yuelian Li. Welcome to Queen's Park.

**Mr. Bas Balkissoon:** I want to welcome some visitors from the great riding of Scarborough–Rouge River, in the east gallery. Some of them are here and some are coming in. They are from the Taibu Community Health Centre in my riding. These are participants in the Ubuntu project out of the community health centre, and I want to welcome them to Queen's Park today.

**Ms. Indira Naidoo-Harris:** On a point of order, Mr. Speaker: I believe that you will find that we have unanimous consent for all members to be permitted to wear gold ribbon pins in recognition of the Canadian Pulmonary Fibrosis Foundation's IPF Awareness Day.

**The Speaker (Hon. Dave Levac):** The member from Halton is seeking unanimous consent to wear the ribbon pins in recognition of the Canadian Pulmonary Fibrosis Foundation's IPF Awareness Day. Do we agree? Agreed.

We have with us today in the Speaker's gallery the Honourable Leo Housakos, the Speaker of the Senate of Canada. Please join me in welcoming the Speaker of the Senate.

## LEGISLATIVE PAGES

**The Speaker (Hon. Dave Levac):** I would now ask all members to join me in welcoming this group of legislative pages serving the first session of the 41st Parliament. Would you please assemble?

They are Nuh Abdul Nur Ali from Durham; Jaleelah Ammar from St. Paul's; Sameer Bapat from Willowdale; Wendy Cao from Trinity–Spadina; David Fan from Markham–Unionville; Anna Farley from Eglinton–Lawrence; Sydney Groskleg from Renfrew–Nipissing–Pembroke; Matthew Keon Hartford from Timiskaming–

Cochrane; Kelly Hu from Oak Ridges–Markham; Eastyn Klages from Bruce–Grey–Owen Sound; Calvin Kudar from Simcoe North; Gabriel LiVolsi from Davenport; Duha Muhammad from Mississauga South; Siena Pacheco from Chatham–Kent–Essex; Laura Page from Scarborough Centre; Krishaj Daibagya Rajbhandari from Scarborough Southwest; Jacob Raponi De Roia from Ottawa South; Grace Maili Sengfah from Bramalea–Gore–Malton; Angelica Voutsinas from Toronto–Danforth; and Alexander Ce Wang from Welland. These are our pages for this session.

## APPOINTMENT OF TEMPORARY OMBUDSMAN

**Mr. Gilles Bisson:** Point of order.

**The Speaker (Hon. Dave Levac):** A point of order from the member for Timmins–James Bay.

**Mr. Gilles Bisson:** I rise to give you notice that I will be filing a point of privilege with regard to the government's decision to violate the Ombudsman Act and use the order in council to appoint an interim Ombudsman.

Two points very quickly: Section 7 of the Ombudsman Act is clear that cabinet can only seek an order in council in the event that the House is not in session, not because the government couldn't get their way. This sets a dangerous precedent for the government to circumvent the House, especially when there are other legal avenues available to the House in order to deal with this matter.

Secondly, section 26 of the Ombudsman Act also allows for the office of the Ombudsman to continue to function, with the exception of issuing reports. Section 26 makes it clear that the Ombudsman office would still be able to act on behalf of Ontarians when it comes to investigating complaints.

It is our hope that you will rule on this expeditiously. We will ensure that our submission is filed with you at the quickest—

**The Speaker (Hon. Dave Levac):** I thank the member. I was giving him some leeway. This is an announcement of your intent, and that's all it should be, but I gave you some room to say something.

## ORAL QUESTIONS

### TEACHERS

**Mr. Patrick Brown:** My question is for the Premier. Public elementary and French teachers are still without a contract, and this government has walked away from the table. Yesterday it became clear that the government has made no progress in the ending the education chaos they've created.

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Parents of young children are left in the dark. Five days isn't enough time to make different child care arrangements, to find a daycare space. Parents deserve

certainty; children do not deserve this uncertainty, and that is exactly what the Liberal government is giving them.

Mr. Speaker, after a year without a contract, how can the Premier—

*Interjections.*

**The Speaker (Hon. Dave Levac):** And that will end it. Thank you.

Please finish.

**Mr. Patrick Brown:** Mr. Speaker, after a year without a contract, how can the Premier continue to leave parents wondering if their children will be in the classroom?

**Hon. Kathleen O. Wynne:** I think that everyone in this House knows that we were all pleased that all of our students, our teachers and support staff were in school the day after Labour Day, Mr. Speaker. We worked very, very hard to find agreements with all of the federations. We are in a situation where there are tentative agreements with OECTA and with the Ontario Secondary School Teachers' Federation, and that is a very, very good thing.

We have worked hard to negotiate with the Elementary Teachers' Federation of Ontario. There are dates that have been set for the French teachers' negotiations to continue. We will continue to work hard to find those agreements within the parameters of what has been put in place for the other teachers. I think that that's reasonable. That is exactly what we said. We said there was a difficult fiscal situation. We have been able to find agreements with the secondary teachers and OECTA—

**The Speaker (Hon. Dave Levac):** Thank you. Supplementary?

**Mr. Patrick Brown:** Again to the Premier: The government walked away from the table. We don't know how long before a full-blown strike. We don't know how long before extracurriculars are cancelled. The Liberals continue to use students and parents as their pawns. It won't be long before elementary schools will cancel services the kids cherish, like sports clubs, plays and field trips. All will be gone—all gone—because the government is not in it for the students.

Mr. Speaker, we don't need a part-time Premier. Instead of spending her time being distracted by partisan federal campaign activities, when will the Premier do her job and get a deal done?

*Interjections.*

**The Speaker (Hon. Dave Levac):** Be seated, please. Thank you.

Premier?

**Hon. Kathleen O. Wynne:** I will just—

*Interjections.*

**The Speaker (Hon. Dave Levac):** Stop the clock. It goes both ways.

**Hon. Kathleen O. Wynne:** I will say to the Leader of the Opposition that I think he will know that I had a meeting in the middle of the summer with all of the components, with all of the—

**Ms. Lisa MacLeod:** With Justin Trudeau?

**Hon. Kathleen O. Wynne:** You know, Mr. Speaker, the heckling from across the way about the federal election—I just want to be perfectly clear: This has absolutely nothing to do with the federal election.

Our children being in school is about our kids having the opportunity to learn. The education system in this province is one of the most important things that this government has responsibility for. I will remind the member opposite that the reason that I and many of my colleagues in this caucus are involved in provincial politics is because of the turmoil that was in place when my children were in school. That's what compelled me to get involved in provincial politics.

*Interjections.*

**The Speaker (Hon. Dave Levac):** Stop the clock. Be seated, please.

*Interjections.*

**The Speaker (Hon. Dave Levac):** Start the clock.

*Interjection.*

**The Speaker (Hon. Dave Levac):** Government House leader, come to order.

*Interjection.*

**The Speaker (Hon. Dave Levac):** Opposition House leader, come to order.

*Interjection.*

**The Speaker (Hon. Dave Levac):** You could get one too. That would be two.

**Mr. Patrick Brown:** Mr. Speaker, again to the Premier: The Liberal government is responsible for the longest strike in over 25 years. Before that, just two years ago, thousands of students lost their extracurricular activities. Now parents and children are left wondering what other hardships the Liberal government—

*Interjections.*

**The Speaker (Hon. Dave Levac):** Stop the clock.

*Interjections.*

**The Speaker (Hon. Dave Levac):** Start the clock.

Finish, please.

**Mr. Patrick Brown:** The Liberal government has slashed thousands of daycare spots, leaving parents with nowhere to turn if classes are indeed cancelled. Ontario families deserve certainty. The part-time Premier should stop being distracted and focus on doing her job. Why does the Premier care so little about parents who are scrambling to find daycare spots?

*Interjections.*

**The Speaker (Hon. Dave Levac):** Be seated, please. Stop the clock.

My attempts have been to try to ask for quiet, in a very quiet way. So from now on, I am going to move immediately into warnings of individuals. That's it. You asked for it, and you're getting it.

Premier.

**Hon. Kathleen O. Wynne:** Thank you very much, Mr. Speaker. I think my helpful team told me that I misspoke—

*Interjection.*

**The Speaker (Hon. Dave Levac):** The member from Nepean—Carleton is warned.



Premier?

**Hon. Kathleen O. Wynne:** When I said that this issue had nothing to do with the provincial election, I meant with the federal election, Mr. Speaker.

This has to do with children being in school. I have a granddaughter who started grade 1 this year, and I have a granddaughter who started junior kindergarten, full-day kindergarten. This is her first week of full-day kindergarten. There's nothing dearer to my heart than making sure that our publicly funded education system is working—

*Interjection.*

**The Speaker (Hon. Dave Levac):** The Minister of Agriculture is warned.

Carry on.

**Hon. Kathleen O. Wynne:** That means having all of our kids in school. It means having all of our teachers and all of our support staff in school, which is why I was so pleased that we were able to come to tentative agreements with OECTA and OSSTF. We'll get there with the—

**The Speaker (Hon. Dave Levac):** Thank you.

*Interjection.*

**The Speaker (Hon. Dave Levac):** The member from Dufferin—Caledon is warned.

New question.

#### PRIVATIZATION OF PUBLIC ASSETS

**Mr. Patrick Brown:** My question is for the Premier. Across the province, and at doors in Simcoe North, I heard a common theme: trust. The Premier has lost the trust of families in Ontario because of her fire sale of Hydro One. By turning her back on independent oversight, the Premier has lost the province's trust. The Premier barred eight independent officers from doing their jobs, before the Hydro One fire sale even began.

The Premier isn't in this deal for taxpayers. The Premier has turned the lights off on accountability. Will the Premier restore independent oversight to her fire sale of Hydro One?

**Hon. Kathleen O. Wynne:** Let me just go through the ways that this has been a transparent process and that oversight is in place.

I would say to the member opposite, as I said yesterday, that the broadening of the ownership of Hydro One is about finding a way to invest in the infrastructure that we know we need across this province. I understand that the Leader of the Opposition doesn't support the investment in infrastructure, but we know it's necessary, whether it's roads, bridges or transit across the province.

Throughout this entire process, we have been open and transparent—

*Interjection.*

**Hon. Kathleen O. Wynne:** Let me just start. The plan was included in our 2014 budget and in the 2014 Liberal platform. The advisory council that we asked to give us advice on this issued an interim report and a final report—

*Interjection.*

**The Speaker (Hon. Dave Levac):** The leader of the third party is warned.

Finish.

**Hon. Kathleen O. Wynne:** Both were publicly available. We held a technical briefing for both opposition parties and for the media to give them the technical information about this process.

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**The Speaker (Hon. Dave Levac):** Supplementary.

**Mr. Patrick Brown:** Again to the Premier: The people of Ontario should be able to trust their government. Sadly, that trust has been eroded by years of shady deals: gas plants, Ornge, eHealth. In fact, I don't think the Premier even has the trust of her own cabinet, especially when hearing the words of the chair of cabinet, the deputy House leader, the member from St. Catharines, who said, "anyone who looks ... at Hydro One ... would recognize ... that is best kept in public ownership and public hands." Anyone who sells one of their largest revenue tools is headed toward bankruptcy.

Mr. Speaker, if the Premier can't gain the confidence of her own cabinet, how can the people of Ontario expect her to manage this fire sale?

*Interjections.*

**The Speaker (Hon. Dave Levac):** Stop the clock, please. Be seated, please. Thank you.

Premier.

**Hon. Kathleen O. Wynne:** As I think I said to the leader of the third party at one point, I think we should all just deal with our own teams; we have a very cohesive team.

I want to talk a little bit more about the transparency and oversight that we've put in place. We brought in Denis Desautels, who is the former Auditor General of Canada, to oversee the IPO. The member opposite knows that publicly traded companies are subject to different oversight mechanisms than crown corporations. I think he knows that full well because he in the past has been very supportive of the private sector, Mr. Speaker. In fact, he has said that he believes that the private sector often works better than government and knows how to run business.

Hydro One will be regulated by the Ontario Business Corporations Act, the Ontario Securities Act and the Ontario Energy Board. They will have to file information with the Ontario Securities Commission and disclose the compensation of top executives.

Mr. Speaker, there are oversight provisions in place. They are solid. They will provide the information that the people of Ontario need.

**The Speaker (Hon. Dave Levac):** Final supplementary.

**Mr. Patrick Brown:** Again to the Premier: It's not just the independent officers who are concerned; over 70% of the people of the province have made it clear they don't welcome the Hydro One fire sale. The people of Ontario do not approve of a deal being done in secret while you delay the prospectus.

The people of Ontario deserve to have their government watchdogs at work. The protection the watchdogs offered in the past found millions in overbillings and discovered the billions squandered with the smart meters. Those same watchdogs deserve to be able to do their job to protect taxpayers under this fire sale.

Mr. Speaker, when will the Premier return oversight—real oversight—by the independent officers of Parliament to her fire sale?

*Interjections.*

**The Speaker (Hon. Dave Levac):** Be seated, please. Thank you.

*Premier.*

**Hon. Kathleen O. Wynne:** The Leader of the Opposition uses an interesting term when he talks about a “fire sale.” I will just say that one of the guiding principles that we held onto as we went into this process was that we would not do what had been done by that party with the 407.

We made it very clear that it was extremely important for the government and the people of Ontario to retain 40% ownership, making sure we retained control of the board in terms of being able to remove the board, being able to remove the CEO and making sure that no entity could own more than 10%. None of those provisions were in place when the 407 deal was put in place—none of those protections.

The regulation of the sector in terms of the OEB setting rates: That remains in place. I’m not going to take lessons from the opposition, Mr. Speaker, about fire sales.

*Interjections.*

**The Speaker (Hon. Dave Levac):** Be seated, please.

*Interjections.*

**The Speaker (Hon. Dave Levac):** The time does not arrest my original words.

#### PRIVATIZATION OF PUBLIC ASSETS

**Ms. Andrea Horwath:** My question is for the Premier. The Premier has promised again and again to be open and transparent with the people of Ontario, but the sale of Hydro One is shrouded in secrecy. Only the Premier and her powerful friends know the details behind this sale, and only the Premier and her powerful friends know how fast hydro rates will skyrocket.

Why is this Premier breaking her promise to be open, transparent and accountable to the people of Ontario, the very people who own Hydro One?

**Hon. Kathleen O. Wynne:** Again, let me just address the two parts of that question. First of all, the leader of the third party knows full well that the way electricity rates are set now is the way electricity rates will be set in the future, and that is that the Ontario Energy Board sets those rates. She knows full well that the Ontario Energy Board has received applications for rate reductions, has received applications for rate increases, and the Ontario Energy Board makes those decisions.

But on the transparency of this process, let me just again go through what we have done to ensure that there

is transparency, that there is openness. We have put in place Denis Desautels, who was the former AG of Canada, to oversee the IPO.

Hydro One will be regulated—and I know the leader of the third party knows this—by the Ontario Business Corporations Act, the Ontario Securities Act and the Ontario Energy Board. They will have to file information with the Ontario Securities Commission.

There are protections in place, there is oversight in place, and that is as it should be.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Ms. Andrea Horwath:** The Premier “has pulled an iron curtain over Hydro One.” Those aren’t my words, Speaker. Those are not my words. That is how the Globe and Mail described it on June 2.

In fact, the Premier has gone so far to undermine accountability that all of the independent officers of this Legislature, save for the electoral officer, stood up to her move and said that this was the wrong thing to do. They said this was an unprecedented plan and that it was the wrong thing to do.

Now she’s refusing to listen to the chamber of commerce and provide concrete evidence that hydro rates will not rise as a result of this sell-off scheme.

Why is the Premier doing everything that she can to avoid transparency and accountability when it comes to the privatization of Hydro One?

**Hon. Kathleen O. Wynne:** We are broadening the ownership of Hydro One. The people of Ontario and the government will retain 40% ownership. No entity will be able to own more than 10%. We are doing that because we know that it is critical at this point in our history in this province to invest in infrastructure around the province. It is critical that we invest in the roads and the bridges and the other large infrastructure across the province that is needed by communities in order for them to be able to thrive.

The leader of the third party doesn’t like that investment. She has not been supportive of the transit investments; she has not been supportive of the infrastructure investments across the province. But the fact is that we know those are needed. We know that the Hamilton LRT, and roads and bridges in Kenora, Thunder Bay and in Sudbury are all needed if those communities are going to thrive. We’re going to make those investments. That’s what this is about.

**The Speaker (Hon. Dave Levac):** Final supplementary.

**Ms. Andrea Horwath:** In the last election, the Premier’s platform said, “Strong leadership means making Ontario more open and democratic,” but the Premier’s leadership has meant breaking promises and ignoring Ontarians, who overwhelmingly reject this scheme to sell off Hydro One.

This is the Premier who stripped Hydro One of public oversight. This is the Premier who removed the Ombudsman’s power to help consumers at Hydro One. This is the Premier who refuses to fully co-operate with the Financial Accountability Officer.



Will this Premier admit that accountability and transparency are only the first things that Ontarians are going to lose with the sell-off of Hydro One?

**Hon. Kathleen O. Wynne:** Mr. Speaker, the leader of the third party understands—I know, because she supported the legislation when we talked about the Financial Accountability Officer. She supported the legislation that gave the Financial Accountability Officer authority, within parameters, and we're operating within those parameters. We are following all of the rules around that accountability to the Financial Accountability Officer. When he has asked for information, we have given him the information within those parameters. She knows that full well.

I know she doesn't like the idea of broadening the ownership of Hydro One. I get that; I absolutely get that. But the fact is that we, as government, had to make a choice. We had to make a choice about whether we were going to go ahead and make investments in infrastructure or not. We know that for the economic well-being of this province, we need to make those investments. They need to be made across the country, but we are going ahead—

**The Speaker (Hon. Dave Levac):** Thank you. New question.

#### PRIVATIZATION OF PUBLIC ASSETS

**Ms. Andrea Horwath:** My next question is also for the Premier. Public opposition—not just my opposition, but public opposition—to Hydro One is growing by the day in this province. People are disappointed by this Premier's broken promises and frustrated by her refusal to hear what Ontarians have to say.

1100

The prospectus was supposed to be released within this month, but so far it's nowhere to be seen. The owners of Hydro One, the actual people of Ontario who own Hydro One, still have no idea what they're going to find when that prospectus is finally released.

Why does this Premier think that the owners of Hydro One should be in that position? Why does she think that the owners of Hydro One should be left in the dark?

**Hon. Kathleen O. Wynne:** They won't be. Again, we've always said that the Hydro One prospectus would be filed with the OSC this fiscal year and it will be. That was our commitment and it will be filed.

I guess the question I would want to ask the leader of the third party is why she doesn't support the investment of infrastructure, why she doesn't understand that if we don't take this opportunity right now to have a vision for the economic viability, competitiveness and prosperity of this province—why she doesn't understand that that will short-change our children and our grandchildren. That will not set us up to be competitive globally.

When I travelled to China last year, I heard, over and over again, concerns about our investments in infrastructure: Were we going to be able to compete and were we going to be able to continue to draw foreign direct investment if we didn't make those investments? We're going

to make those investments. Part of that was reviewing our assets, and that's what we did.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Ms. Andrea Horwath:** It must sadly embarrassing to be the only Premier in the history of this province who can't keep Hydro One public while at the same time investing in infrastructure for the people of Ontario.

This Premier has promised that the government will retain de facto control over a privatized Hydro One, but Ed Clark promised private investors that they will be in control. The Premier says one thing; her special adviser says exactly the opposite.

When will the Premier finally show us, in writing, who it is we should believe?

**Hon. Kathleen O. Wynne:** Again, the leader of the third party ran pretty much on our fiscal plan in the last election. She actually said, on May 7 of this year, and I quote Andrea Horwath, "There's no doubt we did talk in our platform about looking at some of the physical assets that the province owns. I mean, you can never be closed-minded about that."

*Interjection.*

**The Speaker (Hon. Dave Levac):** The member from Renfrew—Nipissing—Pembroke is warned.

**Hon. Kathleen O. Wynne:** I will let history judge our government on our investments. When the historians look back and see that we electrified the Barrie line, the Kitchener line, the Lakeshore East line, that we built the Hamilton LRT, that we built the new alignment of Highway 7 between Kitchener and Guelph, that we put improvements in place for Highway 417 in Ottawa and in London, that we built the Maley Drive extension in Sudbury, that we four-laned the highways between Thunder Bay and Nipigon, and we put the second phase of the—

**The Speaker (Hon. Dave Levac):** Thank you. Final supplementary?

**Ms. Andrea Horwath:** Ontarians overwhelmingly reject the Premier's sell-off of Hydro One. That is the fact. That is a fact. They want to be listened to, they want information, and they want the Premier to stop this \$9-billion privatization scheme.

This morning, I agreed that I would meet with the Premier to talk about these concerns and explore how, together, we can actually ensure that this is a fully informed public debate on the sale of Hydro One, including public hearings and independent analysis of the government's decision. That's what I would like to see. I'm hoping that we can have that meeting to discuss those very things. That's what Ontarians expect. They expect to be heard. They expect public processes. They deserve that.

Will the Premier agree to meet with me to talk about this issue before this sale goes any further?

*Interjections.*

**The Speaker (Hon. Dave Levac):** Be seated, please. Thank you.

Premier?

**Hon. Kathleen O. Wynne:** Since I sent the leader of the third party the letter asking for the meeting, yes, I will meet with her. I got your response. I'm happy to meet with you. And at that meeting, I'm happy to talk about Hydro One, and I'm also happy to talk about the investments that we are making in infrastructure. I hope that the leader of the third party will be willing to talk to me about her vision for reducing greenhouse gas emissions and for investing in transit and transportation infrastructure that will help us along that way and will allow for the economic prosperity of communities around the province. Those are very important parts of our plan, and I'd be interested to hear her perspective on those.

## ONTARIO ECONOMY

**Mr. Victor Fedeli:** My question is for the Premier. All summer long, fiscal alarm bells were ringing. Here is a sample of media headlines from over just a one-week period in July:

—Maclean's magazine: "S&P Downgrades Ontario" credit rating;

—Financial Post: "Ontario's Job Killer: Business Sounds Alarm Over Soaring Electricity Prices";

—Globe and Mail: "Fiat Chrysler CEO Fires Warning Shot at Ontario";

—Toronto Sun: "Hydro One Goes Dark";

—Toronto Star: Ontario falls "Short on Auto Insurance."

That was a heck of a week, Premier. You put business, family and seniors in jeopardy. Why can everyone see this but you?

**Hon. Kathleen O. Wynne:** To the Minister of Finance.

**Hon. Charles Sousa:** I appreciate the question, because the member opposite is talking about where Ontario is going, recognizing the challenges that Ontario and Canada, and the world, have faced over the last number of years through the global recession.

And yet, economists now predict that Ontario will lead Canada. Economists recognize that Ontario has done a tremendous job of increasing employment—over 555,000 net new jobs since the recession—and Canada recognizes that we must stimulate growth. The federal government and the Leader of the Opposition weren't there for us when we needed that stimulus. Ontario did stand up, Ontario did invest and now we have the lowest unemployment in relation to the rest of Canada. We will continue to lead. We recognize more needs to be done and we will do so.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Mr. Victor Fedeli:** Back to the Premier: On your fifth downgrade, S&P warned, "Ontario is a sustained and projected underperformer." The Ontario chamber cautioned that "soaring electricity prices have reached a crisis point." One in—

*Interjection.*

**The Speaker (Hon. Dave Levac):** The member from Trinity-Spadina is warned.

Finish.

**Mr. Victor Fedeli:** The chamber said that one in 20 businesses is expected to shut their doors. The CEO of Fiat Chrysler told you that Ontario risks further reducing its competitive position with your pension tax and your cap-and-trade tax, and instead of achieving a 15% insurance rate reduction, you failed to even hit 7%.

Ontario was once the economic engine of Confederation, but Liberal bungling of every single financial issue has reduced us to a have-not province. When are you going to stop driving business out of Ontario and start listening to the experts?

*Interjections.*

**The Speaker (Hon. Dave Levac):** Be seated, please. Thank you.

Minister?

**Hon. Charles Sousa:** Well, here's what some experts have to say—and the most important experts of all are the investors. Ontario has become the top destination anywhere in North America for foreign direct investment, beating out California, Texas, New York and every other province.

Here is what some of the rating agencies do have to say: Fitch stated that Ontario has demonstrated "the ability to exert considerable, ongoing expenditure restraint while instituting revenue changes as necessary to achieve its deficit reduction objectives."

Moody's noted our prudent debt management, large diversified economy and significant flexibility in financial management.

DBRS said our rating affirmation is supported by Ontario's "continued adherence to its fiscal recovery plan targets and DBRS's belief that it is increasingly likely fiscal balance will be restored as planned."

Ontario will continue to address the deficit, we'll continue to stimulate the economy and we will balance by 2017-18, because the people of Ontario expect their government to be there with them as we proceed going forward.

## TEACHERS

**Mrs. Lisa Gretzky:** My question is to the Premier. For over a year, this Liberal government has failed to reach new collective agreements with thousands of teachers and education workers across Ontario. Now the Liberals have failed again by allowing talks with elementary teachers to collapse.

Real negotiating means being at the table; it means working in a genuine and meaningful way to reach a deal. It doesn't mean that a government tries to impose deals, and it doesn't mean that a government walks away from bargaining. Will the Premier instruct her Minister of Education to get back to the table and get back to meaningful negotiations before the end of today?

1110

**Hon. Kathleen O. Wynne:** Minister of Education.

**Hon. Liz Sandals:** Let me tell you what's been going on over the last year. In fact, over the last year, we've spent well over 1,000 hours negotiating with OECA,



the Ontario English Catholic Teachers' Association, and we have a tentative agreement. We've spent well over 1,000 hours negotiating with OSSTF, and we have a tentative agreement as a result of those negotiations. So I totally reject the notion that we haven't been negotiating. We have been negotiating, and we have got tentative agreements.

We also will be resuming our negotiations tomorrow with our francophone teachers. We've spent hundreds and hundreds and hundreds of hours with our francophone teachers. We have been working with anybody who wanted to come to the table to make sure that we have agreement.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Mrs. Lisa Gretzky:** I'd like to note that the education minister has also neglected 55,000 education workers with CUPE this last year.

Back to the Premier: Parents and students are frustrated and disappointed with the Premier. For over a year this Liberal government has failed to reach agreements that will protect the quality of our children's education and respect all of our teachers and education workers. The only way to reach those agreements is to show leadership. Get back to the bargaining table and negotiate in a genuine and meaningful way. Why won't the Premier do the right thing, restart negotiations, and send her minister back to the bargaining table today?

**Hon. Liz Sandals:** I do want to note that we do value our relationship with our education workers. We in fact have been actively negotiating with CUPE, which represents a number of the education workers. We continue to negotiate with CUPE. We've had a lot of hours, a lot of days with CUPE over the last several weeks, so we are actively negotiating with our education workers.

But we are concerned, in the case of the elementary teachers in the English public system, that they did leave the table last May 11. They have come back recently. They came back September 1, and when we had the chance to talk to them, we wanted to expedite the process to make sure we protect our students' education. We did offer them a settlement similar—

**The Speaker (Hon. Dave Levac):** Thank you. New question?

#### BEAR CONTROL

**Mr. Glenn Thibeault:** My question this morning is for the Minister of Natural Resources and Forestry. This summer my riding of Sudbury and the surrounding area has seen a significant increase in black bear sightings. Already this year there have been over 2,000 calls to the ministry's bear reporting line. This is an increase from the 1,400 calls reported in 2014. Last week, I organized a meeting with the local municipal leaders, the police service, and the Ministry of Natural Resources and Forestry to discuss black bear management.

Constituents in my riding are concerned about the increase in bear sightings in the community and want to know what is being done to ensure public safety. So, Mr.

Speaker, through you to the Minister of Natural Resources and Forestry: Can the minister please explain what is your ministry's role when it comes to managing black bear encounters?

**Hon. Bill Mauro:** I want to thank the member for his question. I know that this has been a difficult summer for him and for his community of Sudbury in regard to this particular issue, and I want to thank the member for his advocacy on this particular file.

Speaker, on this issue, of course, public safety is the number one priority for our government when it comes to black bear management in the province of Ontario. You, your family, your property—in any circumstance where you feel threatened—the first and appropriate response is 911. There's been no equivocation from our government under any circumstances; that is absolutely the first thing that you should do.

Once they're on the scene, the police have the ability, where they feel it's necessary in certain circumstances, to call the MNRF for further support on this file. That happens on occasion. But we want to be clear: The police agency is absolutely the appropriate response, as a first responder, in any emergency situation, including black bears.

I want to thank the member for his advocacy on this issue—

**The Speaker (Hon. Dave Levac):** Thank you.

**Hon. Bill Mauro:** —and there's more to say in the supplementary.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Mr. Glenn Thibeault:** I'd like to thank the Minister of Natural Resources and Forestry for that answer.

Recent meetings with municipal leaders and the local police service and the MNRF representatives are a positive step in coordinating our response efforts to bear encounters in my community. Constituents in my riding have asked what options are available to address bear encounters. Some have suggested that trapping is an option. Others claim that MNRF needs more resources.

I understand that our government has invested over \$35.3 million to educate Ontarians on ways to prevent bear encounters, and no other jurisdiction has invested as much as Ontario in teaching people about how to prevent bear encounters.

Mr. Speaker, through you to the minister: Can the minister please explain what his ministry is doing to address all of these bear encounters?

**Hon. Bill Mauro:** Again, I thank the member for the question. I want to start by addressing the resourcing issue.

I know that the third party has been in northern Ontario this summer, suggesting that the issue related to black bears is a result of the planning resources from our ministry. I would remind especially northern Ontarians that it was the NDP, when in government, that cut the MNRF budget by some 21%. I would further remind people that when the Conservatives came into power, they additionally cut a further 21% from the MNRF budget.

Since 2003 or 2004, our Liberal government has increased the budget of MNRF by some \$200 million, so I think it's important for people to know that.

Obviously, I would add, in terms of the member's question, on the trapping issue, some see this as a response. The science has been pretty clear: It is not an effective bear management tool. Oftentimes, when the animals are trapped and relocated, they return to the area from which they came. Quite frankly, trapping does not deal with the emergent situation when people feel they're threatened and that their health and safety is threatened—

**The Speaker (Hon. Dave Levac):** Thank you.

**Hon. Bill Mauro:** Thank you, Speaker.

**The Speaker (Hon. Dave Levac):** Before I entertain the next question—the bantering that's going on is disruptive, and somebody has a W, so I don't think I would want to continue.

### HEALTH CARE FUNDING

**Mr. Jeff Yurek:** My question is for the Minister of Health and Long-Term Care. Minister, on October 1, the ministry will slash another \$235 million from physician services, at a time when Ontario's population is growing and struggling to find a doctor; at a time when our aging population requires more help, more time with front-line services, and more complex care.

Minister, you're turning your back on doctors and the patients they care for. How can you continue to insist you're fully funding health care when you continue to make cuts to doctors, nurses and pharmacists?

**Hon. Eric Hoskins:** I appreciate the first question coming from my new PC Party health critic. I welcome the question, and I welcome the ones to come.

I think the member opposite knows—because he's from the health sector himself—that we negotiated with our doctors for more than a year, and we used a framework, in fact, for those negotiations that was agreed to by both parties.

We brought in a facilitator, Dr. David Naylor, to try and bring the two parties together. We brought in retired judge Warren Winkler as a conciliator, to try to reach an agreement. In fact, it was Warren Winkler's recommendation to the government and to the OMA that the OMA accept the government's reasonable offer. Unfortunately, the OMA decided not to accept that offer.

As the framework—that both parties had agreed to—provides for, we continue to implement that framework and made the changes that Warren Winkler had actually recommended to both parties.

**The Speaker (Hon. Dave Levac):** Supplementary.

**Mr. Jeff Yurek:** Back to the minister: Minister, you're asking doctors to foot the bill for medical care your government should be covering. We know you tried to hide the \$54-million cut in the health care budget. The deal you forced on Ontario's doctors is restricting access to care for those in need.

Doctors know how much their patients need them, and you aren't allowing them to do their job. These cuts will

impact care in the future, as doctors will retire or leave the province instead of continuing to work in Ontario.

Minister, how can you justify these cuts when so many patients are in need?

**Hon. Eric Hoskins:** As this Legislature knows, not only am I a physician, but I have nothing but the greatest respect for the doctors that practise in this province. They are the best in Canada, and they are among the best, in terms of compensation, in Canada, as well they should be.

What I think disturbs me a little bit is that the OMA has characterized this as about the provision of health services to Ontarians, that somehow we're cutting services that are available to Ontarians. Nothing could be further from the truth.

**1120**

In fact, these negotiations have only been about one thing: They've been about compensation to physicians; over the past 10 years roughly we've seen an increase in physician compensation from the government of roughly 70%. So we're asking our physicians to take a pause in that. We've had to make a modest reduction to the compensation that they receive, but it enables us to continue to fund and indeed expand our funding to areas like home care, our personal support workers and others.

### GOVERNMENT ACCOUNTABILITY

**Mr. Taras Natyshak:** My question is to the Premier. Today The Globe and Mail reported that an Infrastructure Ontario executive had admitted in February 2011 to taking part in a \$1.2-million kickback scheme, and at least one senior official executive at Infrastructure Ontario knew about this admission. Despite this, the executive was later hired to oversee St. Michael's Hospital's \$300-million patient centre construction project. Apparently the hospital was unaware of this executive's admitted role and involvement in the kickback scheme.

Why didn't the Infrastructure Ontario executives let anybody know that one of their top executives had admitted to fraud?

**Hon. Kathleen O. Wynne:** To the Minister of Economic Development, Employment and Infrastructure.

**Hon. Brad Duguid:** I thank the member for the question. It is a question, I think, that is a very serious one and one that we take very seriously. I can assure you that Infrastructure Ontario also shares those concerns. They've taken action right from learning of this particular challenge.

The first thing they did is retain an external law firm to review the procurement process with that St. Michael's Hospital project, which is important. They immediately informed the chair and vice-chair of their board of directors, which was important. They immediately informed my ministry, which was also an important act for them to take. They've written to the CEO of St. Michael's Hospital requesting that the employee in question be removed from the project, which has since been done. Just as importantly, IO has also just initiated a process to retain an independent firm to investigate the



employment and the departure of this employee. I thank the member for the question. It's a serious issue.

**The Speaker (Hon. Dave Levac):** Supplementary.

**Mr. Taras Natyshak:** It seems that unfortunately Infrastructure Ontario has taken action immediately four years after the fact, which is a serious problem. The Globe investigation revealed that Infrastructure Ontario's chief risk officer knew about the kickback scheme as early as January 2012. The risk officer reported directly to the CEO of Infrastructure Ontario, David Livingston.

In May 2012, Mr. Livingston left Infrastructure Ontario to become Dalton McGuinty's chief of staff. Did Mr. Livingston or anybody else in Infrastructure Ontario know anything about this kickback scheme and did they inform anybody within the ministry?

**Hon. Brad Duguid:** I think the questions raised by the member are legitimate questions. I think that's why it's important that Infrastructure Ontario has brought forward an independent adviser, an independent firm, to investigate the issue. They are serious issues here. To the best of our knowledge, the board had not been informed of the particular circumstances around this individual, which is something that I think is open to question.

So I take the matter seriously. Infrastructure Ontario takes the matters seriously. Indeed, we look forward to determining—while the actions taken by this individual, the alleged actions, were outside of his capacity as an employee of IO, the fact is, he was an employee of IO at the time, and we want to make sure there are no discrepancies during his time employed by IO.

## POVERTY

**Mr. Mike Colle:** My question is for the minister responsible for poverty reduction. This morning, Minister, you made an important announcement at FoodShare, a non-profit that works with communities and schools to deliver healthy food and food education as part of the local poverty reduction fund.

Minister, you announced that the fund will help FoodShare evaluate two existing programs, the Good Food program and the Urban Agriculture program, and measure their success in improving the quality of life for those living in poverty. It would also help FoodShare determine how it can expand its program and bring good, healthy food to more communities in need. I know that the fund is an important part of our second poverty reduction program that will make sure programs improve people's lives and better focus our poverty reduction targets.

Speaker, could the minister please tell the House about this new Local Poverty Reduction Fund?

**Hon. Deborah Matthews:** That is an excellent question, and I do want to thank the member from Eglinton—Lawrence for his ongoing commitment to improving the lives of people in his community and well beyond.

I was delighted this morning to be in the riding of Davenport with the member for Davenport at FoodShare

to announce one of the successful projects in our Local Poverty Reduction Fund.

Speaker, the Local Poverty Reduction Fund was established as part of our second Poverty Reduction Strategy. It's a \$50-million investment over six years in innovative community-based projects that measurably improve the lives of people. We announced the fund in April with an initial expression of interest, followed by a formal call for proposals in May. We've made quick progress: 233 applications were received, and we are now starting to announce the successful 41 projects.

These community-based projects, we have heard, are strong, and we want to measure—

**The Speaker (Hon. Dave Levac):** Thank you. Supplementary.

**Mr. Mike Colle:** With this Local Poverty Reduction Fund, it seems it will help non-profits like FoodShare make a significant difference in people's lives across Ontario, with this fund offering help for people living in poverty.

You emphasize evaluation and gathering of evidence about poverty reduction strategies. The fund emphasizes the importance of reviewing and focusing our poverty programs, which will help us deliver results in our communities.

Minister, why is it so important that the Local Poverty Reduction Fund focus on results and outcomes?

**Hon. Deborah Matthews:** The member from Eglinton—Lawrence is correct. This fund is unique. With this fund, we will do things differently. We want to tap into innovative local solutions. We want to build unlikely community partnerships, and ultimately establish a new way of tackling poverty, one that's rooted in investment. In short, Speaker, this is about impact investing. It's about spending our precious dollars where they make the difference—

**Mr. Gilles Bisson:** Deb, is there more coming for the 1%?

**The Speaker (Hon. Dave Levac):** The member from Timmins—James Bay is warned.

Finish, please.

**Hon. Deborah Matthews:**—where those investments will make the biggest difference in the lives of individuals.

Reducing poverty means investing in the right supports. It's more important than ever to make sure that our dollars are getting measurable results and to focus on evidence-based funding for initiatives that work. That's why we're placing a strong emphasis on evaluation and evidence with this fund. Many studies have been conducted on poverty, Speaker, but what we're lacking is evaluation—

**The Speaker (Hon. Dave Levac):** Thank you. New question.

## JUSTICE SYSTEM

**Mr. Randy Hillier:** My question is to the Attorney General. Minister, you are the chief law officer of the province of Ontario, responsible for the administration of

justice in all our courts. Your ministry is spending millions on programs to improve access and efficiency, such as the Better Justice Together program.

Last week the city of Toronto dismissed over 800,000 provincial offences dating back to 2002. Another reason these cases were dismissed was that it would cost \$23 million to collect the outstanding \$20 million in fines. Municipalities require these revenues to pay for needed services to the public. These cases demonstrate beyond a reasonable doubt that the administration of justice, your responsibility, is failing.

Minister, will you correct these failings, or can we expect more provincial offences to be dismissed to meet your efficiency targets?

**Hon. Madeleine Meilleur:** First of all, I wanted to thank my friend for being appointed as my critic, and I hope that I will make your job easy.

This is a very important matter that my friend is raising. This is a process that is administered by the municipality. The municipality took the decision to not proceed with those because they made an administrative decision that it was more costly for them to pursue these parking tickets. They decided to just write it off. It's their decision.

But access to justice is very important. I want to make sure that we make it easy for people to access justice, and I am going to continue to work with municipalities to do exactly that.

1130

**The Speaker (Hon. Dave Levac):** Supplementary.

**Mr. Randy Hillier:** Again to the Attorney General: Minister, the administration of justice is being brought into disrepute. It is clear that either we have too few courts or far too many laws for your ministry to administer in a competent and able fashion.

Earlier this year, your ministry proposed creating an administrative monetary penalty system, AMPS for short, which would deny people access to the courts and prevent them from defending themselves when charged with a provincial offence. Minister, is this how you intend to solve the problem of costly administration and lack of court space—by eroding and removing the hallmark of our justice system, the right to defend oneself before an impartial judge?

**Hon. Madeleine Meilleur:** The member is raising a good question, but I can assure you—we, first of all, just launched a consultation. We have received numerous opinions on it. We are reviewing all of these comments, and I want to thank all of those who participated.

One thing I want to assure you is that everybody will be treated fairly, and if they wanted to challenge the decision of this tribunal—we have not decided where we are moving forward, but I can assure them that they will be able to appeal the decision.

#### PENSION PLANS

**Mr. Paul Miller:** My question is to the Premier. Twelve thousand pensioners of US Steel—formerly

Stelco—and their families, who have been building lives and communities for decades in Hamilton, Stoney Creek, Welland and Nanticoke, are under threat. They have been told by the judge overseeing the credit protection process that the court has no ability to ensure that the pensioners will get what's owed to them ahead of the US parent company, which, in a terrible situation, as predicted, is raiding the corporation, removing parts, heading back to the States and scrapping the parts in Hamilton—outrageous.

Many of these pensioners may not outlive this process, and are living in fear for their retirement security. What is this government doing to stop the further raid of US Steel's Canadian operations?

**Hon. Kathleen O. Wynne:** Minister of Finance.

**Hon. Charles Sousa:** I sincerely appreciate the question coming from the member, who I know has intimate relations with those affected by this situation. It is a tragedy, and it is why the government of Ontario has stepped forward to protect the interests of the workers and the pensioners from the very beginning. We'll continue to do so.

As the member obviously knows, the government has been working with the company. We know that what we want to achieve is the best possible outcome for the pensioners. It is before the courts, there are procedures that are taking place, and we're going to work towards doing everything possible to support the people of Hamilton and, more importantly, the pensioners and those we know that are being affected. We are arm in arm to try to do everything we can to protect their interests.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Mr. Paul Miller:** Minister, through the Speaker to you, the pensioners who put in 30 to 40 years of their lives deserve every penny of what US Steel owes them. These employees agreed in good faith that part of their compensation would be in form of company pension contributions; that is, Minister, deferred wages, which they negotiated. They accepted lower wages then as part of their deal, and now US Steel is effectively trying to steal the remainder of their wages and their benefits and their retirement security. This is theft, Minister.

How is this government going to protect those pensioners? I'm not sure. And what is this government doing to ensure that any future foreign owner guarantees that pension funds will be there when needed for the people of Ontario, for the people of Canada, that they'll be protected in their retirement?

**Hon. Charles Sousa:** The member I believe knows that Ontario is the only province in Canada that actually has a pension guarantee fund to protect those are affected in the case of bankruptcies, which is what's occurring here today. It is before the courts. Processes are under way.

He should also know, and I think the people of Ontario know, that the government of Ontario also provided support by way of loans to enable that company to continue to provide its services for the benefit of the pensioners. That's also a question.



We're all at the table. We all recognize that everyone is being affected, and we're trying to minimize the adverse effects of that process. Please stay in touch with us. I appreciate the ongoing discussions that we've had over the last number of months on this issue. We want to support the pensioners and the people of Ontario who are affected by this.

### STUDENT ASSISTANCE

**Mr. Peter Z. Milczyn:** My question is to the Minister of Training, Colleges and Universities. Minister, post-secondary education is a big investment for Ontario families. With the start of the new school year, many students in my riding of Etobicoke–Lakeshore and throughout the province want to know about the different financial aid programs that are available to them to complete their studies.

I understand that Ontario has one of the most generous student financial assistance programs in Canada. When we entered office in 2003, almost zero grant programs were in place for students, but we've worked hard to make the financial aid system more progressive. Now, low- and middle-income students pay substantially less than they did just 10 years ago.

Minister, can you please inform the members of the House on how our government is making post-secondary education more affordable and accessible for students across Ontario?

**Hon. Reza Moridi:** I want to thank the member from Etobicoke–Lakeshore for that question. Our government is committed to ensuring that our students in Ontario have access to the best quality of post-secondary education and that post-secondary education is accessible and affordable, and based on their ability to learn, not on their ability to pay. That's why we have made a number of key investments to help make our post-secondary education more accessible and affordable to our young people.

Last year, we invested \$1.3 billion in grants and loans for our students across the province of Ontario; 70% of that funding was non-repayable by the students. We capped tuition fee increases at 3%, which saves students about \$1,200 over four years. And this year, the 30% Off Ontario Tuition Grant will help students save up to \$1,000 in tuition fees. When you count—

**The Speaker (Hon. Dave Levac):** Thank you. Supplementary?

**Mr. Peter Z. Milczyn:** Thank you to the minister for that answer. It's reassuring to know that our government remains committed to supporting students across post-secondary education on the basis of their ability to learn, not to pay.

Many students in my riding of Etobicoke–Lakeshore heavily rely on the Ontario student aid program to cover the costs of their post-secondary tuition, and I understand that more than 380,000—more than half of all full-time students—received financial aid last year alone.

Minister, when our government passed the 2015 budget, I was happy to learn that we were in fact

announcing several changes to OSAP that will provide additional financial support to students attending college or university. Minister, can you please inform the members of the House about the most recent changes to the Ontario student aid program that were announced in the 2015 budget?

**Hon. Reza Moridi:** Again, I want to thank the member from Etobicoke–Lakeshore for that question. We are modernizing OSAP by indexing the maximum student loan limit to inflation, helping students save up to \$1,000. We are launching the Ontario Student Loan Rehabilitation Program. We are also capping student debt to not more than \$7,400 per two-term year.

We are also making the OSAP assessment process more transparent and easier for our students by exempting vehicles as an asset and also giving students the option to not take out the full, maximum loan. Also, we're exempting the first \$3,000 of a student's assets.

Mr. Speaker, when you take into account the tuition fees in Ontario and the financial assistance which students receive from the government, the cost of post-secondary education in Ontario is one of the lowest in this country, and we are very proud of that. We have learned and listened to our students, and we have acted based on their recommendations. That's why we are modernizing—

**The Speaker (Hon. Dave Levac):** Thank you. New question.

### PHYSIOTHERAPY SERVICES

**Mr. Bill Walker:** My question is for the Minister of Health. A constituent in my riding needs two surgeries, but neither surgery can be done unless she receives physiotherapy treatment first to regain mobility.

Minister, your rules say that because she is 53 years old and not on ODSP, she does not qualify and has to wait 12 years before she can access physiotherapy. Will you address this concern and be straight with the people of Ontario, and tell them why there is money for Liberal friends and scandals but no money for the many Ontarians who need access to rehabilitation services?

**Hon. Eric Hoskins:** Mr. Speaker, I appreciate the question from the member opposite. I would certainly hope the member knows that the changes we made recently, a couple of years back—the result of that was it doubled the number of publicly funded physiotherapy clinics in the province.

In addition to that, we expanded the coverage, not simply to include those clinics but to specifically target our seniors—I think the member opposite would appreciate the importance of that—to where 200,000 additional seniors in this province are receiving publicly funded physiotherapy services as a result of those changes that we made.

Mr. Speaker, as well, we rely on our CCACs to make that determination, to be the single point, if you will, of access and determination with regard to a patient's needs, including for physiotherapy.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Mr. Bill Walker:** Back to the Minister of Health: What we do know is that lots of people are going without care. Here is the truth: You've been laying off nurses, you're axing medical residency spaces, and you're cutting funding for surgeries, diabetic strips and physiotherapy treatments.

Minister, will you stand up today and give Ontarians an honest answer? Will you say why you're denying my constituent and many others access to physio and surgery across this great province?

**Hon. Eric Hoskins:** I think the member opposite knows that his constituents, for example, in Owen Sound, up until a couple of years ago, had to travel to London for their physiotherapy services. As a result of the changes that we made, there are now publicly funded physiotherapy services existing in Owen Sound. These are the types of changes that we've made to benefit the people, not just his constituents, not just of his riding, but across the province.

We've increased the funding to physiotherapy by \$156 million—or we're investing, rather, \$156 million annually, to expand those services to those who need them. But again, we rely on our CCACs to make that individual determination with regard to an individual's need for physiotherapy services, services now that are publicly available in Owen Sound.

## VISITORS

**The Speaker (Hon. Dave Levac):** The member for Cambridge on a point of order.

**Mrs. Kathryn McGarry:** Thank you, Speaker. I wanted to introduce a couple of guests today in the members' gallery. They are the mother and grandmother of my great legislative assistant, Leo Lehman. We've got Debby Lehman and Penny Wray in the gallery with us. Please welcome them to Queen's Park.

**Mr. Jagmeet Singh:** I ask all members of the Legislature to join me in welcoming page captain Grace Maili Sengfah's mother, Ja Kai Shwe, who is in the gallery today.

**The Speaker (Hon. Dave Levac):** Welcome.

## DEFERRED VOTES

### PROTECTION OF PUBLIC PARTICIPATION ACT, 2015

#### LOI DE 2015 SUR LA PROTECTION DU DROIT À LA PARTICIPATION AUX AFFAIRES PUBLIQUES

Deferred vote on the motion for second reading of the following bill:

Bill 52, An Act to amend the Courts of Justice Act, the Libel and Slander Act and the Statutory Powers Procedure Act in order to protect expression on matters of public interest / Projet de loi 52, Loi modifiant la Loi

sur les tribunaux judiciaires, la Loi sur la diffamation et la Loi sur l'exercice des compétences légales afin de protéger l'expression sur les affaires d'intérêt public.

**The Speaker (Hon. Dave Levac):** Call in the members. This will be a five-minute bell.

*The division bells rang from 1143 to 1148.*

**The Speaker (Hon. Dave Levac):** Would all members please take their seats?

On December 10, 2014, Madame Meilleur moved second reading of Bill 52. All those in favour, please rise one at a time and be recognized by the Clerk.

### Ayes

Albanese, Laura	Gélinas, France	Milczyn, Peter Z.
Anderson, Gravelle	Gravelle, Michael	Miller, Paul
Armstrong, Teresa J.	Gretzky, Lisa	Moridi, Reza
Arnott, Ted	Hardeman, Ernie	Munro, Julia
Bailey, Robert	Harris, Michael	Murray, Glen R.
Baker, Yvan	Hatfield, Percy	Naiddoo-Harris, Indira
Balkissoon, Bas	Hillier, Randy	Naqvi, Yasir
Ballard, Chris	Hoggarth, Ann	Natyshak, Taras
Berardinetti, Lorenzo	Horwath, Andrea	Nicholls, Rick
Bisson, Gilles	Hoskins, Eric	Oraziotti, David
Bradley, James J.	Hunter, Mitzie	Pettapiece, Randy
Campbell, Sarah	Jaczek, Helena	Potts, Arthur
Chiarelli, Bob	Jones, Sylvia	Qaadri, Shafiq
Clark, Steve	Kiwala, Sophie	Rinaldi, Lou
Colle, Mike	Lalonde, Marie-France	Sandals, Liz
Coteau, Michael	Leal, Jeff	Singh, Jagmeet
Crack, Grant	MacCharles, Tracy	Smith, Todd
Damerla, Dipika	MacLeod, Lisa	Sousa, Charles
Del Duca, Steven	Malhi, Harinder	Takhar, Harinder S.
Dhillon, Vic	Mangat, Amrit	Thibeault, Glenn
DiNovo, Cheri	Mantha, Michael	Thompson, Lisa M.
Dong, Han	Martins, Cristina	Vanthof, John
Duguid, Brad	Matthews, Deborah	Vernile, Daiene
Fife, Catherine	Mauro, Bill	Walker, Bill
Flynn, Kevin Daniel	McDonell, Jim	Wilson, Jim
Forster, Cindy	McGarry, Kathryn	Wong, Soo
Fraser, John	McMeekin, Ted	Wynne, Kathleen O.
French, Jennifer K.	McNaughton, Monte	Yurek, Jeff
Gates, Wayne	Meilleur, Madeleine	Zimmer, David

**The Speaker (Hon. Dave Levac):** All those opposed, please rise one at a time and be recognized by the Clerk.

### Nays

Barrett, Toby	Hudak, Tim	Scott, Laurie.
Brown, Patrick	MacLaren, Jack	Yakubski, John
Fedeli, Victor	Miller, Norm	

**The Clerk of the Assembly (Ms. Deborah Deller):** The ayes are 87; the nays are 8.

**The Speaker (Hon. Dave Levac):** I declare the motion carried.

*Second reading agreed to.*

**The Speaker (Hon. Dave Levac):** Pursuant to the order of the House dated June 2, 2015, the bill is ordered referred to the Standing Committee on Justice Policy.

### INVASIVE SPECIES ACT, 2015

#### LOI DE 2015 SUR LES ESPÈCES ENVAHISSANTES

Deferred vote on the motion for second reading of the following bill:



Bill 37, An Act respecting Invasive Species / Projet de loi 37, Loi concernant les espèces envahissantes.

**The Speaker (Hon. Dave Levac):** Call in the members. This will be a five-minute bell.

*The division bells rang from 1152 to 1153.*

**The Speaker (Hon. Dave Levac):** All those in favour, please rise one at a time and be recognized by the Clerk.

#### Ayes

Albanese, Laura	Gélinas, France	Miller, Norm
Anderson, Granville	Gravelle, Michael	Miller, Paul
Armstrong, Teresa J.	Gretzky, Lisa	Moridi, Reza
Arnott, Ted	Hardeman, Ernie	Munro, Julia
Bailey, Robert	Harris, Michael	Murray, Glen R.
Baker, Yvan	Hatfield, Percy	Naidoo-Harris, Indira
Balkissoon, Bas	Hillier, Randy	Naqvi, Yasir
Ballard, Chris	Hoggarth, Ann	Natyshak, Taras
Barrett, Toby	Horwath, Andrea	Nicholls, Rick
Berardinetti, Lorenzo	Hoskins, Eric	Orazietti, David
Bisson, Gilles	Hudak, Tim	Pettapiece, Randy
Bradley, James J.	Hunter, Mitzie	Potts, Arthur
Brown, Patrick	Jaczek, Helena	Qaadri, Shafiq
Campbell, Sarah	Jones, Sylvia	Rinaldi, Lou
Chiarelli, Bob	Kiwaia, Sophie	Sandals, Liz
Clark, Steve	Lalonde, Marie-France	Scott, Laurie
Colle, Mike	Leal, Jeff	Singh, Jagmeet
Coteau, Michael	MacCharles, Tracy	Smith, Todd
Crack, Grant	MacLaren, Jack	Sousa, Charles
Damerla, Dipika	MacLeod, Lisa	Takhar, Harinder S.
Del Duca, Steven	Malhi, Harinder	Thibeault, Glenn
Dhillon, Vic	Mangat, Amrit	Thompson, Lisa M.
DiNovo, Cheri	Mantha, Michael	Vanthof, John
Dong, Han	Martins, Cristina	Vernile, Daiene
Duguid, Brad	Matthews, Deborah	Walker, Bill
Fedeli, Victor	Mauro, Bill	Wilson, Jim
Fife, Catherine	McDonnell, Jim	Wong, Soo
Flynn, Kevin Daniel	McGarry, Kathryn	Wynne, Kathleen O.
Forster, Cindy	McMeekin, Ted	Yakabuski, John
Fraser, John	McNaughton, Monte	Yurek, Jeff
French, Jennifer K.	Meilleur, Madeleine	Zimmer, David
Gates, Wayne	Milczyn, Peter Z.	

**The Speaker (Hon. Dave Levac):** All those opposed, please rise one at a time and be recognized by the Clerk.

**The Clerk of the Assembly (Ms. Deborah Deller):** The ayes are 95; the nays are 0.

**The Speaker (Hon. Dave Levac):** I declare the motion carried.

*Second reading agreed to.*

**The Speaker (Hon. Dave Levac):** Pursuant to the order of the House dated June 2, 2015, the bill is ordered referred to the Standing Committee on Social Policy.

There are no further deferred votes.

#### CORRECTION OF RECORD

**Hon. Reza Moridi:** Mr. Speaker, I want to correct my record. In my remarks, I mentioned that our 30% Off Ontario Tuition Grant saves students up to \$1,000. In fact, it saves students up to \$1,830.

**The Speaker (Hon. Dave Levac):** As we all know, members are allowed to correct their own record, and that is appropriate.

There being no deferred votes, this House stands recessed until 3 p.m. this afternoon.

*The House recessed from 1156 to 1500.*

**The Speaker (Hon. Dave Levac):** The member from Lanark on a point of order?

**Mr. Randy Hillier:** Speaker, on a point of order: I just want to rise and give notice to you, Speaker, that I will be providing arguments to you regarding the House leader from the third party's point of privilege that he gave notice of this morning.

**The Speaker (Hon. Dave Levac):** You were quick enough for me not to have to interrupt. I will explain here, for the sake of everyone, that there are no vehicles for notices of notices. That's how it works. That is, when you submit them to the table, they get submitted to the table and we deal with them. Just so that everyone is aware, from this morning and this afternoon, there is no notice-to-give-notice process.

#### INTRODUCTION OF VISITORS

**Mr. Taras Natyshak:** You know, he's always here with me. It's my executive assistant, Merv Richards from Amherstburg. I want to welcome him, of course, to a new session here, but I also want to wish him a very happy 65th birthday today. He said he's definitely voting NDP in the federal election because Tom Mulcair is going to lower the rate of retirement down to 65 and he can finally get out, finally retire.

Thank you very much, Speaker. Thank you, Merv. Happy birthday.

**Hon. David Orazietti:** It's my pleasure to introduce a number of folks who are in the gallery here: Julia Jankowski, ministry staff of MGCS, Shane Carry and Dimitar Dimeski; as well as Mario Deo, who represents the Canadian Condominium Institute, and Stephen Hamilton from the Ontario Home Builders' Association, who are here for the second reading of Bill 106, Protecting Condominium Owners Act.

**The Speaker (Hon. Dave Levac):** Thank you. Further introductions? Last call for introductions.

Happy birthday.

#### MEMBERS' STATEMENTS

##### ROAD SAFETY

**Ms. Lisa M. Thompson:** I say enough is enough. Now, you may think that I'm referencing the Liberals' mismanagement in the financial world that has led to an S&P downgrade, or you may also think of a number of OPP investigations and scandals. But I am not.

The fact of the matter is, I'm speaking about the seemingly growing disrespect and carelessness we're witnessing on our roads. This past summer, Huron-Bruce residents experienced too many needless, tragic, life-changing accidents on the road. I'm using my first statement of this session to appeal to Ontarians to slow down and share the road.

I must admit, Speaker, that I became very angry when former neighbours of my parents lost their lives in a senseless accident because someone was rushing to pass a transport truck. I became angry when I learned that a favourite high school teacher was struck by a vehicle when training for a triathlon. Sadly, there were more. That's when I said enough is enough.

At AMO, I spoke to the member for Burlington about her share-the-road legislation, now known as Greg's Law, and I asked for her advice as to how to increase awareness. I have also spoken of sharing the road in my most recent householder. And today, I ask all members in this House to work together with me to unite in sharing the message that driving is a privilege not to be taken for granted.

Please, everyone, slow down and share the road.

### CLIMATE CHANGE

**Mr. Peter Tabuns:** In June, the NDP called on the Liberal government to give Ontarians input on its climate action plan, including their cap-and-trade program. The only way to move forward on a fair and effective climate change policy is to make it fundamentally transparent and open for public input.

Climate change is already costing Ontarians hundreds of millions of dollars from extreme weather damage. The 2013 ice storm alone showed how profound weather-related disruptions can be.

A serious response to the challenge of climate change requires leadership by the government, public support and public trust. We asked before and we ask again that the whole climate change program, including cap and trade, be brought to the Legislature for review by an all-party committee and proper public consultation when the plans are introduced.

Ontario's New Democrats believe that climate change policy must deliver real, measurable reductions in carbon pollution and must be transparent, allowing everyone to see the costs, the benefits and the effects. We also believe that low-income and middle-class Ontarians, who are already struggling to get by, shouldn't bear an unfair burden in our response to climate change.

Lacking those key elements, the Liberals' proposed climate action plan and carbon pricing cannot succeed.

### EVENTS IN HALTON

**Ms. Indira Naidoo-Harris:** I'm pleased to rise today and talk about the event-filled summer we had in Halton. It's no secret that the face of Halton is changing. We're one of the most rapidly growing regions in the entire country, and with this growth comes exciting new changes.

Over the summer I had the pleasure of attending a number of special community picnics that really showed what makes our region so great. The Italian Canadian, Tamil, Hindu, Filipino and Muslim communities, among others, held family picnics all through the summer. It was

a pleasure to get out and experience these special cultural celebrations and to see and taste all that Halton has to offer, and Halton has a lot to offer: everything from samosas and spring rolls to fantastic pizza and barbecue chicken. We had some great local talent too: bhangra dancers, singers, dragon dancers and so much more.

Each one of these events had their own unique charm, but they all shared a common thread: They all demonstrated the strength of Halton's growing diversity. We have a rapidly growing and changing community, and Halton residents are welcoming others with open arms, sharing their traditions, their food and their art. Diversity and acceptance are what make Halton so special.

### FETAL ALCOHOL SPECTRUM DISORDER

**Mr. Jeff Yurek:** Fetal Alcohol Spectrum Disorder Awareness Day is marked on the ninth day of the ninth month of each year. FASD Awareness Day reminds the world that, during the nine months of pregnancy, women are to abstain from alcohol consumption. This important day was first celebrated in 1999.

It is estimated that nine out of 1,000 babies that are born in Canada suffer from fetal alcohol spectrum disorder. FASD Awareness Day reminds the world of the dangers of drinking during pregnancy. Across the globe, bells are rung at 9:09 a.m. throughout every time zone.

Back home in my constituency of Elgin-Middlesex-London, in St. Thomas, we have started our own awareness demonstration that occurs every year at city hall. It celebrated its 10th anniversary this past year and has been led by a great constituent of mine, Ethel de la Penotiere. I want to take this opportunity to thank Ethel and all the dedicated volunteers in my riding and across this province for their efforts to raise awareness of this important issue.

We need this government to officially recognize the prevalence of FASD so that these individuals are no longer neglected by our health and education system.

### BAPU SURAT SINGH KHALSA

**Mr. Jagmeet Singh:** Today, I rise to raise awareness of the plight of Bapu Surat Singh Khalsa. He is an 82-year-old man who has now endured 243 days of a peaceful hunger strike. He is protesting the unfair treatment of minority communities being detained as political prisoners in India. He is raising awareness on their plight. They are being treated disproportionately unfairly compared to other prisoners. These prisoners have spent considerable time in custody and are eligible to be released under government discretion; however, they are being denied this release.

On February 26, 2015, Bapu Surat Singh was arrested along with his son Ravinder Jeet simply for engaging in this peaceful protest to raise awareness of the plight of political prisoners.



I call on the international community to stand in solidarity with political prisoners across the world to ensure that they are treated with the dignity, respect and justice that they deserve.

#### MEXICAN INDEPENDENCE DAY

**Mr. Bob Delaney:** Speaker, the Premier and members of this Legislature joined with the GTA's Mexican community to raise the Mexican flag and celebrate the 205th anniversary of Mexican independence, on the lawn of the Ontario Legislature. Ontario is home to more than 30,000 people of Mexican origin. They're an educated and growing community, devoted to building a prosperous Ontario.

Mexico's consul general Mauricio Toussaint has worked with the province to develop the many shared opportunities Mexico and Ontario have together as NAFTA partners. The Premier has pledged to visit Mexico.

1510

Mexico is, of course, a tourism and vacation destination of choice for sun-starved Ontario residents during our long, cold and grey winter months. Equally importantly, Ontario firms in Mexico are building and expanding that nation's industrial and transportation infrastructure. Ontario's high-value and high-skill businesses specializing in planning, engineering, finance, consulting, construction and manufacturing are helping build challenging and rewarding careers in both Ontario and Mexico as Mexico builds modern cities, airports, roads and civil infrastructure.

Mexico and Ontario have an opportunity to bring Ontario's expertise in electricity generation and transmission to Mexico. Working together, Mexico and Ontario can reduce Mexico's carbon footprint in energy generation and transmission. We can expand and diversify electricity generation and transmission and bring clean, green, sustainable electricity to Mexico's 124 million people.

#### MEXICAN INDEPENDENCE DAY

**Mr. Steve Clark:** On behalf of the leader of the Ontario Progressive Conservative Party, Patrick Brown, and all of our caucus members, I want to, as well as the honourable member prior, extend my warmest congratulations to all Mexican Canadians celebrating Mexico's 205th independence day today. I'd also like to join with all members in thanking the consul general of Mexico in Toronto, Mauricio Toussaint, for organizing the wonderful event that we had, both on the lawn and in this building, as a reception.

On September 15, 1810, Miguel Hidalgo made the cry for Mexico's independence in the town of Dolores. The Cry of Dolores is what helped to initiate the movement for Mexico's independence, which culminated in Mexico officially achieving its independence in 1825. Today, we are here to celebrate the 205th year of the Cry of Dolores, also known as "el Grito de Dolores."

Ontarians of Mexican descent have left and continue to leave a historic mark on the province of Ontario. Your welcome contributions span communities across Ontario and are reflected in our economic, political, social and cultural life, for which I think all members extend their thanks.

On behalf of my leader, I look forward to working with your community in the years to come as we move toward our shared journey to build a better Ontario. Gracias, and have a great independence.

#### EYE EXAMINATIONS

**Mr. John Fraser:** Students and families in Ottawa South and all over our province headed back to school earlier this month. I can still remember the hope and excitement in our household when our three children were younger, and it was always a very busy time.

Mr. Speaker, I would like to take the opportunity to remind parents of the importance of having their children's vision tested. In Ontario, routine eye examinations for children younger than 20, provided by an optometrist or a physician, are covered by OHIP.

We know that 80% of learning is visual, and vision problems create obstacles for children to achieve their full learning potential. One in six children has a vision problem, yet most children do not get an eye examination before the age of five. Since vision plays an essential part in a child's ability to learn, excellent sight and eye health are critical in their development.

I encourage all parents to have their children's vision tested so they can be confident and fully able learners. I would also like to encourage all of my colleagues to use their householders and other communications to share this important information with families in their ridings.

#### HISPANIC COMMUNITY

**Mrs. Cristina Martins:** I rise today to extend my best wishes to all the Guatemalans, Salvadorians, Hondurans, Nicaraguans, Costa Ricans and Chileans as they get set for their independence day celebrations.

Our province is so fortunate that many of our neighbours from Central America and Chile have called Ontario home for a number of decades now. I'm privileged to represent the great riding of Davenport, which has such an active and engaged Central American and Chilean community, and I'm truly humbled that I have the opportunity to recognize them here today in the House.

It gives me great pride to know that my first private member's bill, which received royal assent on May 5 earlier this year, was to declare October Hispanic Heritage Month. For the first time, this October we as a province will recognize the important contributions that Guatemalan, Salvadorian, Honduran, Nicaraguan, Costa Rican, Chilean and all Hispanic and Latino Canadians have made and continue to make to our province's social, economic and multicultural fabric through Hispanic Heritage Month.

Last week I attended Viva Mexico festivities in my riding of Davenport and told them about Hispanic Heritage Month. When I shared with them that next month would be about them, they were proud—proud not only that Ontario was recognizing their contributions to Ontario but proud to share in the spirit of diversity, multiculturalism and coexistence that personifies this great province of ours.

*Remarks in Spanish.*

**The Speaker (Hon. Dave Levac):** I thank all members for their statements.

## PRIVATE MEMBERS' PUBLIC BUSINESS

**The Speaker (Hon. Dave Levac):** I beg to inform the House that, pursuant to standing order 98(c), a change has been made in the order of precedence on the ballot list for private members' public business such that Mrs. Albanese assumes ballot item number 65 and Ms. Hoggarth assumes ballot item number 67.

## REPORTS BY COMMITTEES

### STANDING COMMITTEE ON GOVERNMENT AGENCIES

**The Speaker (Hon. Dave Levac):** I beg to inform the House that today the Clerk received a report on intended appointments dated September 15, 2015, of the Standing Committee on Government Agencies. Pursuant to standing order 108(f)9, the report is deemed to be adopted by the House.

*Report deemed adopted.*

## INTRODUCTION OF BILLS

### GREAT LAKES SHORELINE RIGHT OF PASSAGE ACT, 2015

#### LOI DE 2015 SUR LE DROIT DE PASSAGE SUR LE LITTORAL DES GRANDS LACS

Mr. Gates moved first reading of the following bill:

Bill 118, An Act to create a right of passage along the shoreline of the Great Lakes / Projet de loi 118, Loi créant un droit de passage le long du littoral des Grands Lacs.

**The Speaker (Hon. Dave Levac):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Speaker (Hon. Dave Levac):** The member for a short statement.

**Mr. Wayne Gates:** The bill creates a right of passage along the shoreline of the Great Lakes between the water's edge and the high-water mark. The right is limited, as specified in the bill.

## THE GAGE RESEARCH INSTITUTE ACT, 2015

Mr. Dong moved first reading of the following bill:  
Bill Pr24, An Act to revive The Gage Research Institute.

**The Speaker (Hon. Dave Levac):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Speaker (Hon. Dave Levac):** Pursuant to standing order 86, this bill stands referred to the Standing Committee on Regulations and Private Bills.

## MOTIONS

### PRIVATE MEMBERS' PUBLIC BUSINESS

**Hon. Jeff Leal:** Mr. Speaker, I seek unanimous consent to put forward a motion without notice regarding private members' public business.

**The Speaker (Hon. Dave Levac):** The Minister of Agriculture is seeking unanimous consent to put forward a motion without notice. Do we agree? Agreed.

**Hon. Jeff Leal:** I move that, notwithstanding standing order 98(b), the following changes be made to the ballot list: Mrs. Albanese and Mr. Thibeault exchange places in order of precedence such that Mrs. Albanese assumes ballot item number 78 and Mr. Thibeault assumes ballot item number 65; and that, notwithstanding standing order 98(g), notice of ballot items 65, 68 and 69 be waived.

**The Speaker (Hon. Dave Levac):** Mr. Leal moves that, notwithstanding standing order 98(b), the following changes be made to the ballot list: Mrs. Albanese and Mr. Thibeault exchange places in order of precedence such that Mrs. Albanese assumes ballot item number 78 and Mr. Thibeault assumes ballot item number 65; and that, notwithstanding standing order 98(g), notice of ballot items 65, 68 and 69 be waived.

Do we agree? Carried.

*Motion agreed to.*

1520

**The Speaker (Hon. Dave Levac):** Motions? The Minister of Agriculture.

**Hon. Jeff Leal:** A bill that's getting great discussion in the great riding of Peterborough every day—I move government order G106, Protecting Condominium Owners Act, second reading.

**The Speaker (Hon. Dave Levac):** I'm just going to remind the minister that we're not at that order in orders of the day. You're a little early, so I'm going to ask the page to return his motion.

**Hon. Jeff Leal:** Okay, can I give the Peterborough—

**The Speaker (Hon. Dave Levac):** No.

Motions? Last call for motions, I believe.



## HOUSE SITTINGS

**The Speaker (Hon. Dave Levac):** The member from Renfrew–Nipissing–Pembroke, on a point of order, I suspect.

**Mr. John Yakabuski:** No, on a motion.

**The Speaker (Hon. Dave Levac):** You don't present motions for unanimous consent.

**Mr. John Yakabuski:** I believe I have unanimous consent.

**The Speaker (Hon. Dave Levac):** Okay, so I will recognize the member from Renfrew–Nipissing–Pembroke on a point of order, seeking unanimous consent.

**Mr. John Yakabuski:** I believe we have unanimous consent to put forward a motion without notice regarding the House schedule.

**The Speaker (Hon. Dave Levac):** The member from Renfrew–Nipissing–Pembroke is seeking unanimous consent to put forward a motion without notice regarding the schedule. Do we agree? Agreed.

The member from Renfrew–Nipissing–Pembroke, you have the floor.

**Mr. John Yakabuski:** I move that, notwithstanding standing order 6(a), when the House adjourns on Thursday, September 17, 2015, it shall stand adjourned until Wednesday, September 23, 2015.

**The Speaker (Hon. Dave Levac):** Mr. Yakabuski moves that, notwithstanding standing order 6(a), when the House adjourns on Thursday, September 17, 2015, it shall be adjourned until Wednesday, September 23, 2015. Do we agree? Agreed.

*Motion agreed to.*

## PETITIONS

## ONTARIO FARMERS

**Ms. Lisa M. Thompson:** "To the Legislative Assembly of Ontario:

"Whereas Ontario farmers were prevented from meaningfully participating in government consultations around changes to allowable crop protection tools during the spring of 2015 due to the government scheduling consultations during prime planting season;

"Whereas the regulations the government of Ontario passed on Canada Day severely restrict the use of treated seeds that are of critical importance for grain farmers in preserving their crop yields and these changes are expected to cost Ontario's economy over \$600 million a year;

"Whereas it will be virtually impossible for farmers to access these necessary treated seeds for the 2016 planting season due to the bureaucratic hurdles being put in place by the province;

"We, the undersigned, call on the Legislative Assembly of Ontario to urge the government of Ontario to suspend the class 12 regulations that were passed on

July 1, 2015, to allow for farmers to plant in 2016, as they did in 2015; to allow for meaningful dialogue on the regulations, their intent and other approaches to achieving the same end, that won't devastate farmers in the province."

I agree with this petition. I will affix my signature and send it to the table.

## PRIVATIZATION OF PUBLIC ASSETS

**Ms. Catherine Fife:** A petition to the Legislative Assembly of Ontario:

"Privatizing Hydro One: Another wrong choice.

"Whereas once you privatize Hydro One, there's no return; and

"We'll lose billions in reliable annual revenues for schools and hospitals; and

"We'll lose our biggest economic asset and control over our energy future; and

"We'll pay higher and higher hydro bills just like what's happened elsewhere" in other jurisdictions;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To stop the sale of Hydro One and make sure Ontario families benefit from owning Hydro One now and for generations to come."

It's my pleasure to affix my signature to this petition.

## LUNG HEALTH

**Mrs. Cristina Martins:** I have a petition here that's addressed to the Legislative Assembly of Ontario.

"Whereas lung disease affects more than 2.4 million people in the province of Ontario, more than 570,000 of whom are children. Of the four chronic diseases responsible for 79% of deaths (cancers, cardiovascular diseases, lung disease and diabetes) lung disease is the only one without a dedicated province-wide strategy;

"In the Ontario Lung Association report, Your Lungs, Your Life, it is estimated that lung disease currently costs the Ontario taxpayers more than \$4 billion a year in direct and indirect health care costs, and this figure is estimated to rise to more than \$80 billion seven short years from now;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To allow for deputations on MPP Kathryn McGarry's private member's bill, Bill 41, the Lung Health Act, 2014, which establishes a Lung Health Advisory Council to make recommendations to the Minister of Health and Long-Term Care on lung health issues and requires the minister to develop and implement an Ontario Lung Health Action Plan with respect to research, prevention, diagnosis and treatment of lung disease; and

"Once debated at committee, to expedite Bill 41, Lung Health Act, 2014, through the committee stage and back to the Legislature for third and final reading; and to immediately call for a vote on Bill 41 and to seek royal assent immediately upon its passage."

I agree with this petition. I will affix my name to it and send it to the table with page Matthew.

### CONCUSSION

**Mr. Randy Pettapiece:** “To the Legislative Assembly of Ontario:

“Whereas the rate of concussions among children and youth has increased significantly from 2003 to 2011, from 466 to 754 per 100,000 for boys, and from 208 to 440 per 100,000 for girls; and

“Whereas hard falls and the use of force, often found in full-contact sports, have been found to be the cause of over half of all hospital visits for pediatric concussions; and

“Whereas the signs and symptoms of concussions can be difficult to identify unless coaches, mentors, youth and parents have been educated to recognize them; and

“Whereas preventative measures, such as rules around return-to-play for young athletes who have suspected concussions, as well as preventative education and awareness have been found to significantly decrease the danger of serious or fatal injuries; and

“Whereas Bill 39, An Act to amend the Education Act with respect to concussions, was introduced in 2012 but never passed; and

“Whereas 49 recommendations to increase awareness, training and education around concussions were made by a jury after the coroner’s inquest into the concussion death of Rowan Stringer;

“Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the Ontario government review and adopt Rowan’s Law to ensure the safety and health of children and young athletes across the province.”

### DIAGNOSTIC SERVICES

**M<sup>me</sup> France Gélinas:** I have this petition that was collected by Mrs. Tania McCaffrey, from my riding of Nickel Belt. It reads as follows:

“Whereas the Ontario government has made ... PET scanning a publicly insured health service available to cancer and cardiac patients” under certain conditions; and

“Whereas, since October 2009”—that’s six years ago—“insured PET scans are performed in Ottawa, London, Toronto, Hamilton and Thunder Bay,” but not in Sudbury; and

“Whereas the city of Greater Sudbury is a hub for health care in northeastern Ontario, with Health Sciences North, its regional cancer program, and the Northern Ontario School of Medicine”;

They petition the Legislative Assembly of Ontario “to make PET scans available through Health Sciences North, thereby serving and providing equitable access to the citizens” of the northeast.

There is a fundraiser for the PET scan on October 22, and the tickets are on sale.

I’ll ask Siena to bring the petition to the Clerk after I sign it.

1530

### PERSONAL-INJURY LAWYERS

**Ms. Soo Wong:** I’m pleased to send a petition to the Legislative Assembly of Ontario.

“Whereas personal-injury lawyers often charge contingency fees of up to 45% of a settlement;

“Whereas it is in the public interest for reasons of transparency, consumer protection and public accountability that the Ontario superintendent of insurance be authorized to collect from personal-injury lawyers and paralegals representing claimants on tort and accident benefits claims, information on case-specific fee arrangements, costs, disbursements and referral fees to determine the impact of such fee arrangements on the cost of auto insurance in Ontario;

“Whereas consumers do not understand how these fees are calculated;

“Whereas the high costs of hiring a lawyer are preventing Ontarians from accessing justice;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the government introduce legislation to cap the maximum rates that personal-injury lawyers charge injured motorists;

“That personal-injury lawyers be required to submit to the superintendent of insurance information on fees, disbursements and referral arrangements;

“That the superintendent publicly publish an annual report on the information collected;

“That the superintendent develop a consumer-friendly fee disclosure statement that must be used by personal-injury lawyers.”

I support this petition and I will give my petition to page Duha.

### HEALTH CARE

**Mr. Bill Walker:** “To the Legislative Assembly of Ontario:

“Whereas the Ministry of Health and Long-Term Care’s lack of leadership is forcing the closure of the South Bruce Grey Health Centre restorative care Chesley site; and

“Whereas it is ignoring evidence that the restorative care program has had major successes since its inception three years ago; and

“Whereas it has helped over 300 patients to increase their quality of life by helping them regain strength, balance and independence; and

“Whereas it has improved patient outcomes for over 80% of patients who returned home feeling confident of their recovery; and

“Whereas the loss of this critical care will see patients readmitted to hospitals, to emergency room visits or



having to stay in acute care beds longer, representing the costliest options in our health care system; and

"Whereas vulnerable seniors in our communities take the position that there is evidence of funding cuts for home care services; and

"Whereas our senior and all other vulnerable patients deserve access to compassionate care and treatment as close to home as possible;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To provide the necessary base funding to keep the South Bruce Grey Health Centre restorative care Chesley site in operation so that the health and welfare of our most vulnerable patients remains intact."

I fully support it, will affix my seal and send it with page Grace.

### HIGHWAY IMPROVEMENT

**Mr. Taras Natyshak:** I'm pleased to introduce a petition on behalf of residents of my community of Essex that reads:

"To the Legislative Assembly of Ontario:

"Whereas Highway 3 from Windsor to Leamington has long been identified as dangerous and unable to meet growing traffic volumes; and

"Whereas the widening of this highway passed its environmental assessment in 2006; and

"Whereas the portion of this project from Windsor to west of the town of Essex has been completed, but the remainder of the project remains stalled; and

"Whereas there has been a recent announcement of plans to rebuild the roadway, culverts, lighting and signals along the portion of Highway 3 that has not yet been widened;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To revisit plans to rebuild Highway 3 from Essex to Leamington and direct those funds to the timely completion of the already approved widening of this important roadway in Essex county."

I couldn't agree more, Speaker. I will affix my name to the petition and send it to the Clerk's table via page Jacob.

### CONCUSSION

**Ms. Indira Naidoo-Harris:** I have a petition here addressed to the Legislative Assembly of Ontario.

"Whereas the rate of concussions among children and youth has increased significantly from 2003 to 2011, from 466 to 754 per 100,000 for boys, and from 208 to 440 per 100,000 for girls; and

"Whereas hard falls and the use of force, often found in full-contact sports, have been found to be the cause of over half of all hospital visits for pediatric concussions; and

"Whereas the signs and symptoms of concussions can be difficult to identify unless coaches, mentors, youth and parents have been educated to recognize them; and

"Whereas preventative measures, such as rules around return-to-play for young athletes who have suspected concussions, as well as preventative education and awareness have been found to significantly decrease the danger of serious or fatal injuries; and

"Whereas Bill 39, An Act to amend the Education Act with respect to concussions, was introduced in 2012 but never passed; and

"Whereas 49 recommendations to increase awareness, training and education around concussions were made by a jury after the coroner's inquest into the concussion death of Rowan Stringer;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ontario government review and adopt Rowan's Law to ensure the safety and health of children and young athletes across the province."

I agree with this petition.

### HEALTH CARE

**The Acting Speaker (Mr. Rick Nicholls):** Further petitions? I recognize the newly appointed deputy leader of the official opposition, the member from Leeds–Grenville.

**Mr. Steve Clark:** Thank you very much, Mr. Speaker, for those kind words.

I have a petition to the Legislative Assembly of Ontario.

"Whereas providing patients with access to information about their medical doctor's treatment history is fundamental to regulating the medical profession and ensuring Ontario's health-care system is accountable and transparent;

"Whereas currently, Ontario patients do not have access to this information, which is also an important measure to improve patient safety and empower them when making decisions about medical treatment;

"Whereas making public all information about complaints, cautions and remedial action taken against a physician does not diminish the College of Physicians and Surgeons' ability to self-regulate, but rather brings balance to the relationship between doctors and patients;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Minister of Health and Long-Term Care act immediately to implement the transparency and accountability measures contained in Bill 29, An Act to amend the Medicine Act, 1991."

It's my bill, Speaker, so I'm pleased to affix my signature to this petition and send it to the table with my page whose name, I'm sorry, I can't pronounce.

### HOSPITAL FUNDING

**Ms. Cindy Forster:** "To the Legislative Assembly of Ontario:

"Whereas Health Sciences North is facing major budget shortfalls leading to a decrease of 87,000 hours of nursing care in psychiatry, day surgery, the surgical unit, obstetrics, mental health services, oncology, critical care, and the emergency department, the closure of beds on the surgical unit, as well as cuts to support services including cleaning;

"Whereas Ontario's provincial government has cut hospital funding in real dollar terms for the last eight years in a row; and

"Whereas these cuts will risk higher medical accident rates as nursing and direct patient care hours are reduced all across the hospital;

"We, the undersigned, petition the Legislative Assembly of Ontario to:

"Stop the proposed cuts to Health Sciences North and protect beds and services.

"Increase overall hospital funding in Ontario with a plan to increase funding at least to the average of other provinces."

I support this petition, affix my signature and give it to page Siena.

#### GO TRANSIT

**Mrs. Kathryn McGarry:** I have a petition in support of GO train access for Cambridge, Ontario.

"To the Legislative Assembly of Ontario:

"Whereas Cambridge, Ontario, is a municipality of over 125,000 people, many of whom commute into the greater Toronto area daily; and

"Whereas the current options available to travel into the GTA are inefficient and time-consuming, as well as environmentally damaging; and

"Whereas the residents of Cambridge believe that they would be well-served by rail transit that connects this city to the rail station in Milton, and that this infrastructure would have positive, tangible economic benefits to the province of Ontario;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Direct crown agency Metrolinx to commission a feasibility study into building a rail line that connects the city of Cambridge to the GO train station in Milton, and to complete this study in a timely manner and communicate the results to the municipal government of Cambridge."

I support this petition, affix my signature and give it to page Jacob to take to the table.

**The Acting Speaker (Mr. Rick Nicholls):** The time for petitions has expired.

Orders of the day. I recognize the Minister of Agriculture.

**Hon. Jeff Leal:** Mr. Speaker, this is the second time for me to get this right. I know I was a little enthusiastic the last time I got up. We're moving forward this afternoon with government order G106, the Protecting Condominium Owners Act, something that has tremendous support right across every part of Ontario.

#### ORDERS OF THE DAY

##### PROTECTING CONDOMINIUM OWNERS ACT, 2015

##### LOI DE 2015 SUR LA PROTECTION DES PROPRIÉTAIRES DE CONDOMINIUMS

Mr. Orazietti moved second reading of the following bill:

Bill 106, An Act to amend the Condominium Act, 1998, to enact the Condominium Management Services Act, 2015 and to amend other Acts with respect to condominiums / Projet de loi 106, Loi modifiant la Loi de 1998 sur les condominiums, édictant la Loi de 2015 sur les services de gestion de condominiums et modifiant d'autres lois en ce qui concerne les condominiums.

**The Acting Speaker (Mr. Rick Nicholls):** Mr. Orazietti has moved second reading of Bill 106. Please continue.

1540

**Hon. David Orazietti:** Thank you, Speaker. I'm certainly honoured today to rise for second reading of Bill 106, the Protecting Condominium Owners Act, 2015. I want you to know, Speaker, that I will be sharing my time with my parliamentary assistant, Chris Ballard, the MPP for Newmarket-Aurora, who will also participate in this part of the debate.

Ontario continues to be at the centre of North America's condominium boom. This success has been a double-edged sword. Condominiums, which were not so long ago considered a niche form of ownership, have grown to play a major role in providing a housing option of choice for millions of Ontarians. Condo communities offer convenient, accessible and affordable living that caters to a wide range of different lifestyles.

Many condominiums are clearly well-managed and maintained and meet the expectations of owners and residents. However, the rapid growth of the condo sector has also led to challenges and conflicts that threaten the well-being and investment of condo owners.

The Protecting Condominium Owners Act, if passed, will introduce much-needed measures to strengthen protection for those who buy and live in condos. This is a critical step forward to ensure that we are meeting the needs of an ever-growing market.

The existing Condominium Act was passed in 1998, at a time when fewer people lived in condos, and when the issues revolving around day-to-day life in condos were far less complex.

Today Ontario has about 700,000 condo units and 10,000 condo corporations, with approximately 1.3 million condo residents in the province. This means that approximately one in 10 Ontarians lives in a condominium.

Condos also represent about half of all the new homes being built in this province, in a housing sector worth almost \$45 billion and employing more than 300,000 Ontarians.



It's important to keep in mind that as the market goes through growth and transformation, the province must also grow and adapt to ensure that we meet the needs of this large and ever-changing housing sector. The huge growth in condominium development occurring in our province means that we need new, updated laws now more than ever.

It has become clear what is likely to happen if we do not reform the existing condo laws. We have every reason to expect:

- a further deterioration of condominium living, with increased potential for fraud and mismanagement;

- a continued rise in the number of very expensive, court-appointed administrators taking over the control of condos from boards and managers;

- more and more costly disputes between owners, and between owners and boards; and

- desperate condo owners experiencing significant losses to the value of their homes.

These are all obviously things that we are trying to avoid by introducing this legislation.

During the extensive consultation process which preceded the drafting of the proposed legislation, we heard from condo owners and residents who were worried that their quality of life and significant monetary investments were in jeopardy.

It's imperative to overhaul the existing condo laws to better meet the needs of the province's transformed condominium landscape.

The proposed new legislation marks the first significant change to the condo legislation in about 17 years.

Speaker, the proposed legislation would address these concerns by improving protections for condo owners. It would create clear rules to protect buyers and prevent surprises over unexpected costs after purchasing a newly built condo. I'm confident that, if passed, it will truly modernize Ontario's condominium sector.

We embarked upon a review of the act and, as I touched on earlier, the size and complexity of Ontario's condo market has changed dramatically since the last amendments were made to the current Condominium Act. To address the vast growth and change in the condo sector, Ontario conducted a review of the current Condominium Act using an innovative and collaborative public engagement process, where we received over 2,200 submissions with suggestions on how to improve the current legislation. The review clearly revealed that Ontario requires:

- new laws and tools to increase consumer protection for condo owners and buyers;

- improvements to how condominiums are run and managed;

- new mechanisms for dispute resolution, and

- the means to strengthen the financial sustainability of condominium buildings.

The proposed legislation is based on over 200 specific recommendations that came from condo owners, residents, developers, managers and industry experts through this comprehensive public review.

The Condominium Act review marks a truly collaborative approach to consultation and is a prime example of open government—government that engages its citizens to improve outcomes. And it's a way of boosting public confidence in government and of building a stronger province. I'm proud of the innovative methods used to create this proposed legislation and truly believe that it has led to an act that, if passed, will provide a framework to address the needs of today's condo owners and residents now and into the future.

I'd like to use this opportunity to provide you with the details on this review process and highlight the steps taken to ensure that input was collected from many diverse groups of people, representing a broad range of experience and expertise within the condo sector.

The review was completed in three stages using multiple methods to gather feedback from condo owners, residents, managers, boards, developers and experts within the condo community.

Stage one, which we launched in September 2012, involved four types of engagement sessions, which included, first of all, a set of public information sessions that provided information about the review as well as town hall forums for over 500 participants in five different communities across the province. It also included a residents' panel of 36 representative condominium residents from across the province, which met for three full-day sessions to learn more about condominiums, discuss those very specific issues and propose solutions.

It also included stakeholder round tables, bringing together 25 stakeholders from across the condominium community for four full days to identify issues and discuss solutions. As well, it involved inviting the entire condominium community in Ontario to provide input, resulting in over 400 emails, letters, and approximately 180 additional formal submissions.

The four sessions contained participants from diverse groups within the condo community. Yet each engagement session saw similar issues emerging, which we then used to create a framework for stage two discussions.

In the second stage of the review process, which was launched in March 2013, we had approximately 40 experts gather for an additional one-day session. This stage involved five working groups, comprised of people that represented a broad cross-section of the condo industry. The participants in stage two were chosen to ensure that voices from all parts of the condo sector were represented in the discussions and have impressive experience in the field.

Each working group reviewed one of the five key areas that were raised during stage one consultations, including consumer protection, financial management, dispute resolution, governance and condominium management. The recommendations that were generated by stage two working groups were then reviewed by a panel of 12 experts from across the condo community. The stage two process resulted in an additional 200 recommendations.

Moving to stage three, the final stage of the consultation process began in the fall of 2013 when the residents' panel reviewed the recommendations generated during stage two. In addition, five round table sessions were held across the province which provided a forum for condo residents and stakeholders to give their feedback on recommendations. These sessions also provided an opportunity to further explore the idea of establishing a condo authority and asked participants to comment on the proposed funding models.

The general public also had 45 days to provide additional feedback on the recommendations through various channels, including an online feedback forum, email and other submissions to the ministry. We received more than 1,400 responses, providing us with valuable input that was considered when drafting the bill. This final stage was completed in early 2014.

Another important mechanism used to obtain suggestions on updating Ontario's current condo laws was the creation of an advisory group. This group was comprised of experts in the condominium sector who helped the ministry better understand the issues that arose during the review. While not a decision-making body, the advisory group provided feedback and advice on the review process, insight into the issues and recommendations raised and information about the project to interested parties. Their expertise was invaluable to the review, as these individuals deal with condo-related issues on a daily basis.

Let me highlight some of the key features of the legislation. The proposed legislation was informed by the input and recommendations we received during an extensive consultation process. I think that's evident. It reflects the needs and aspirations of condo owners and residents for their communities, to which they are deeply committed. The bill embodies the expertise and vision of many within the condominium sector. It underscores our government's commitment to strengthen current and future condominium communities across the province. The proposed legislation would help provide greater confidence and security for condo owners in their investment and in their day-to-day lives in their chosen communities.

1550

The legislation consists of two key parts. The first part would make sweeping reforms to the Condominium Act and would also make a series of changes to the Ontario New Home Warranties Plan Act, as well as other statutes. The second part would establish a new act: the Condominium Management Services Act, 2015. If passed, it would regulate the province's 2,500 condo managers. The act would require managers and management providers to be licensed and meet certain qualification and training requirements.

This proposed legislation has five key aspects. My colleague and parliamentary assistant in the ministry, the MPP for Newmarket-Aurora, will expand in a few minutes on some of the important details about the proposed act. But I'd first like to provide an overview of the impact that this legislation would have, if passed.

First of all, it would improve dispute resolution for condo owners and boards. Consumer protection would be enhanced by creating clearer rules to protect buyers and eliminate surprises over unexpected costs after purchasing a newly built condo. The proposed legislation would introduce more stringent financial management rules for condo corporations and help ensure their financial sustainability. It would create stronger condo communities with transparent and accountable board governance, including training requirements for condo directors. It would enable the establishment of a new organization to oversee the licensing and regulation of Ontario's 2,500 condo managers. Again, these are important initiatives as part of the legislation that stem from the broad consultations that we held.

We also intend to create two new bodies as a result of the proposed legislative changes. The first is a condo authority. This authority would provide reliable education and awareness to the condo community. It would serve as a registry of information about condo corporations, and it would create an expedited, low-cost condo dispute resolution centre to help resolve the most common issues. We believe that this condo authority could divert approximately 75% of all cases from costly court litigation, mediation and arbitration, saving residents and condo corporations tens of thousands of dollars each year, as well as saving them a tremendous amount of time and stress.

The second body is a manager licensing authority to administer the licensing and regulation of condo managers and establish minimum qualifications and mandatory training standards.

To conclude, Speaker: Addressing the needs of the fast-growing condominium community and supporting the long-term sustainability of condo living is an important initiative for my ministry and our government. The needs of Ontario's condo community and the importance of updating the act were highlighted in our government's 2015 budget, in which this reform is a key commitment.

Ontarians need and deserve modern and effective condo legislation that can stand the test of time. The legislation must be able to adapt to changes in the rapidly growing sector and grow to meet new challenges. I'm extremely proud of the work that has been completed to date, and the collaborative approach that was used to get us to this point.

As I've outlined, Bill 106 would bring much-needed changes to Ontario's current Condominium Act. With the proposed changes we are debating today, the Protecting Condominium Owners Act, if passed, will offer much greater protection to Ontario's 1.3 million and growing condo residents. They deserve nothing less.

Speaker, I want to thank you for the time and the opportunity to debate this bill. I ask for the support of the House in passing this into legislation.

**The Acting Speaker (Mr. Rick Nicholls):** I'd like to thank the Minister of Government and Consumer Services for his contribution to the debate. Continuing along with debate, I recognize the member from Newmarket-Aurora.



**Mr. Chris Ballard:** Thank you, Mr. Speaker. I appreciate the opportunity to speak to you today about the key features of Bill 106, the Protecting Condominium Owners Act, 2015.

Buying a condo is one of the most significant purchases in a person's life. We're taking action to not only protect this important investment for owners, but for all those who call a condominium their home. The tremendous increase in condominiums across the province, including my riding of Newmarket–Aurora, which the minister spoke about, has been accompanied by a number of issues that need to be addressed on behalf of owners, residents, managers, boards and many others. The current Condominium Act was passed in 1998. Ontario is now at a crucial stage where we need updated legislation to respond to the issues that condo owners are facing today.

The bill we're discussing is based on over 200 specific recommendations that came as a result of extensive consultation. Condo owners, residents, developers, experts and other stakeholders within the sector have all provided meaningful input. Again, I want to thank everyone who has contributed as we worked toward the pivotal point we've reached today.

I'm very pleased to be able to speak to you today about the key features of Bill 106. Mr. Speaker, the first important proposed change will enhance consumer protection by creating clear rules to protect buyers and eliminate unexpected costs after purchasing a newly built condo. Purchasing a condo is a major investment, and it's important that we provide consumers with the appropriate mechanisms to protect their interests. A key part of the proposed act is the introduction of additional safeguards to protect condo buyers and help them make informed choices.

The proposed legislation would also enhance consumer protection by enabling the government to create regulations for standard condominium disclosure statements and other documents, such as declarations. These documents provide prospective condo buyers with important information about the condo property and corporation. They would set out matters pertaining to condo ownership, such as unit boundaries and fundamental rules of condo property.

Along the same line, the proposed act would also introduce new requirements that expand the information to be included in a condo status certificate. This additional information would enable purchasers of resale condos to better understand the financial health of their condo corporation. Standardizing these documents would help ensure consistency with the information provided by condo purchasers, so they're able to make informed decisions.

The final key feature that will strengthen consumer protection is the proposed amendments to the Ontario New Home Warranties Plan Act. The Ontario New Home Warranties Plan Act does not currently extend to condo conversion projects, creating inequities for consumers and exposing them to risks. The proposed amendments

would ensure that most of the warranty protections available to buyers of new condos would also apply to certain condo conversion projects.

Through our comprehensive review process, we learned that condo owners need timely and reliable information and direct access to their condo corporation's financial records. Clear and consistent rules are needed to ensure condo reserve funds are properly funded, and clearer rules are also needed to ensure appropriate financial controls are in place when condo corporations spend the owners' money.

The proposed legislation fulfills all of these requirements. If passed, the legislation would strengthen financial management requirements for condo corporations and help prevent fraud and mismanagement. For example, it would forbid condo corporations from finalizing some contracts until they had fulfilled certain procurement rules, ensuring better management in the interests of condo owners. Participants in the Condominium Act review agreed that owners should be encouraged to gain a better understanding of how their condo corporation's reserve funds operate.

The proposed legislation would give owners more information about their condo corporation's financial matters and provide more control over important changes. Regulations under the act would also clarify rules by detailing how condo corporations can determine if the reserve funds are adequate. Additionally, the proposed act, if passed, would update rules and requirements relating to insurance when damage occurs to a unit or the building. Creating a definition of a standard unit would help to clarify insurance obligations for condo owners.

The bill would also clarify and standardize the circumstances when an owner would be required to pay an amount up to the corporation's deductible with respect to property damage.

All of these features that I've just highlighted would strengthen the management of a condo corporation's finances and provide owners with clearer guidelines as to their roles and responsibilities.

#### 1600

The Condominium Act review also raised several issues regarding condo governance. The condominium owners expressed the need for more transparency and accountability from their condominium boards, and many condominium owners and residents raised concerns that they felt disconnected from their condominium boards and building managers. They indicated that they didn't know enough about the decisions that were being made by their condominium corporation or how these decisions were impacting them.

This proposed legislation seeks to address these concerns and improve communication with residents by requiring condominium boards to issue information to owners on a regular basis on topics such as the corporation's insurance, or legal proceedings involving the corporation. It would also ensure that condo directors complete training requirements.

The proposed legislation would make it easier for condominium owners and boards to participate and vote at meetings. For example, a condo board would no longer have to pass a bylaw in order to hold a meeting through conference calls or similar off-site meeting technologies.

Proper management of a condominium building is crucial to protect condominium owners and their investments. Currently Ontario has no minimum requirements governing condominium management firms or for an individual working as a manager of a condominium. The responsibilities of condominium management include property maintenance; ensuring repairs are carried out in a timely manner; providing advice and carrying out the decisions of the board; and monitoring financial reporting and overseeing financial operations.

During the review process, participants urged the province to set clear, mandatory standards for condo managers to ensure integrity and consistency. The proposed new Condominium Management Services Act, and regulations under the proposed act, would respond to these concerns.

Under this proposed act, a new administrative authority would regulate condo managers and management providers by establishing a compulsory licensing system. Regulations under the act would set training and education requirements for condo managers and establish a code of ethics.

Another important measure proposed by Bill 106 would correct the power imbalance during dispute resolution processes by providing a faster, cost-effective and fairer process. Under the current Condominium Act, disputes are resolved through either mandatory private mediation and arbitration or the court system. This can be a time-consuming, frustrating experience for the parties involved, and the associated legal costs can be quite expensive.

If passed, the act would enable the creation of the condominium authority and tribunal that would provide quicker, lower-cost dispute resolution than what is available today. It would also help prevent disputes between condo owners and boards by offering clearer information on condo owners' rights and responsibilities.

Key features of the tribunal would include mediation and case management processes; the ability to issue binding decisions that would be enforceable, similar to a court order; maintaining online resources and self-help tools; and limited appeals to Divisional Court on questions of law.

As noted earlier, the proposed legislation would enable the establishment of two new administrative authorities. Mr. Speaker, I'd like to take this opportunity to provide you with important details on these authorities.

The first is the condo authority. This authority would provide reliable education and build awareness within the condominium community. It would also serve as a registry of information about condominium corporations, and it would serve as a quick, low-cost condominium dispute resolution centre, as mentioned earlier. It could save both residents and condominium corporations tens

of thousands of dollars on dispute resolution, as well as a tremendous amount of time and stress. If the legislation is passed, the province would provide start-up funding for the condominium authority.

Going forward, the authority would set its own fees that would include a user fee for dispute resolution services and fees collected from condo corporations. In order to ensure the fees remain cost-effective for condo owners, the fees would be set in accordance with processes and criteria that will be approved by the Minister of Government and Consumer Services.

There's still a lot of work to be done in order to finalize the details of this authority, but it's estimated that the fee collected through condo corporations would be approximately \$1 per unit per month. This is a minimal cost when you consider the amount of money that is spent on dispute resolution through private arbitration and the court system. It's also important to note that the condo authority would not start charging these fees until the dispute resolution process is in place and condo owners and residents could start using this important mechanism.

The second body that the passing of this act would allow the province to establish would be a licensing authority designed to administer the licensing and regulation of condominium managers. Similar to the condo authority, this new licensing authority would be an independent, self-funded, not-for-profit corporation. The initial funding for this proposed authority would be provided by the province. The licensing authority would then be responsible for raising revenue through fees collected from managers and management firms.

To ensure accountability and transparency, both of these administrative authorities would have an administrative agreement with the Minister of Government and Consumer Services, be required to publicly disclose information, and be subject to oversight by the Auditor General.

Mr. Speaker, I'd like to reiterate Minister Oraziotti's closing statement by thanking you for the opportunity to speak about the benefits of Bill 106. Addressing the needs of the fast-growing condominium communities across this province and supporting the long-term sustainability of condominium living are key to the government's mandate.

This bill would bring much-needed change to Ontario's condominium laws and regulations. There's still work to be done before this legislation can improve Ontario's condominium communities and provide Ontarians with the help I have outlined for you today. Passing this legislation would be a step forward to strengthening the protection and well-being of condominium owners and residents. This is why I'm asking for the support of the House in passing this bill, which will do so much for so many who call a condominium home.

**The Acting Speaker (Mr. Rick Nicholls):** I thank the member from Newmarket-Aurora for his contribution to the debate.

Questions and comments.



**Mr. Jim McDonell:** It's a pleasure to get up today and respond to the Condominium Act. We see that it's been years that we've been looking for some of these changes. I know that the different associations have been asking for them and are glad to see something finally come through.

We're a little worried about what's in the meat of the legislation versus what's in the regulations. Of course, the regulations will be coming afterwards, so we'll be working with the government, with some potential amendments that we think are necessary. But I think, as I say, we're supporting this bill and we want to see it go through.

The debate will be interesting. I'm waiting to hear my colleague get up and talk about it today. I know we had a meeting with Armand Conant, who is in the gallery here today. He's from the Canadian Condominium Institute. He's in here today to listen to some of the issues in the new legislation. They were working hand in hand with the government and ourselves to bring this legislation about. We were kind of waiting to see it go through and looking forward to working with them over the next upcoming month or so, as we come through this legislation. I'll end it with that.

**The Acting Speaker (Mr. Rick Nicholls):** Further questions and comments?

**Mr. Percy Hatfield:** A bit of history is in order, I believe, this afternoon. I think it was eight years ago. The former member of Trinity-Spadina, Rosario Marchese, tried to get such a bill introduced in the House, repeatedly, over eight years. The Liberals were never interested—never interested. Then the glass panels in the shoddily built condos in downtown Toronto started flying off, down onto the street below. All of a sudden, they got a little bit interested. So they went out and talked to their developer buddies, their banker buddies, their lawyer buddies. They didn't talk to too many tenants; they didn't talk to too many owners. They put them on all these advisory committees—very few tenants and owners, a lot of developers, a lot of lawyers—and they came up with this bill.

I say it's a good first step, but it doesn't go far enough. They're so far behind the times. They have a cookie cutter.

1610

In my part of Ontario, they're not building condos anymore. They took apartment buildings and converted them to condos just for a tax relief structure. "God bless," as the former member from Trinity-Spadina would say. It's all within the law; they can do that. The rest of us have to make up the tax that the new condo-registered apartment buildings aren't paying any more. But that aside, what they're building in my part of the province are townhomes, townhouses. We don't shovel the snow and we don't mow the lawn. It's like a condo, but there's nothing in here to say, "By the way, if you're in a townhouse or a townhome under similar situations, you will also have these protections." That's what could improve this bill. That's what's needed in this bill. Don't

think of it as Toronto-centric, much like the Liberal government; think of it as a province-wide bill that can be improved if you put townhome and townhouse associations in there.

**The Acting Speaker (Mr. Rick Nicholls):** Further questions and comments?

**Mr. Mike Colle:** I was in opposition at the time in 1998 when the then Conservative government brought in the first Condominium Act. Let me tell you, it was a lot of work that the government of the day did because it's an extremely complex piece of legislation. I remember the committee sat for months and months and months, so it is not a simple process. Going forward, this is a very complex bill because we're dealing with some of the most complex issues of landholding and property rights that you could never believe, Mr. Speaker.

As you know, Mr. Speaker, this is critically important because there are over 1.3 million Ontarians who live in condos. It's a huge reality. Fifty per cent of new homes being built in Ontario are condos. There are 700,000 condo homes in this province and another 50,000 on stream. So it is critical that we tackle this issue, that we modernize the good work that was done in 1998 and bring it up to speed because of the complexities and the different issues that have been brought forward.

We've had this review. I know that in my own riding of Eglinton-Lawrence we had meetings with condo owners, with their suggestions. There has been a lot of dialogue and discussion, and there will be more because this is extremely important, crucial work. It is, as I said, very demanding, and it will be very demanding work on this Legislature to get it right with the help of the meetings, the committee work and the submissions from the opposition. We've got a lot of work ahead of us, and I hope, together, we can come up with some good legislation protecting people who live in condominium homes.

**The Acting Speaker (Mr. Rick Nicholls):** Further questions and comments?

**Mr. Steve Clark:** It's an honour for me to provide just a couple of minutes of comments on Bill 106, Protecting Condominium Owners Act. In fact, Mr. Colle just finished speaking—and I have to admit that it's not often I say this, but many of the points you just made I was going to make as well. We have an opportunity to put some legislation forward that will provide some protection.

Over the years, at least as a legislator for five and a half years and working for my predecessor for three years, there were a lot of good points brought forward by condominium owners in terms of registration, licensing and protection, and some of the concepts to establish the authority, some of the opportunities that we have—this is pretty unique.

What I hope is that, as a former House leader—

**Hon. James J. Bradley:** You're not the House leader now?

**Mr. Steve Clark:** No, I'm not, Jim, and neither are you; I know we both had that position before—that with

some of these bills that we do seem to have general consent for, perhaps we can work together and get some of these bills into committee. The member notes that there were a number of hearings that took place. I know that the normal legislative process will allow at least a couple of days of hearings where we can have submissions from folks. I guess it's our hope that we'll move the bill forward and allow it to get into committee, and allow some of that meaningful debate to happen, but in terms of dispute resolution, in terms of some of the condo owner education, the fact that the registry would move forward and the authority would be established—I can't argue with those on a conceptual basis.

I think that now the challenge for all three parties will be how quick we get the job done. I look forward to this bill being debated today and I look forward to the hearings that are going to take place to deal with it. Thanks for giving me the chance to provide my two minutes.

**The Acting Speaker (Mr. Rick Nicholls):** Back to the member from Newmarket–Aurora for final comments.

**Mr. Chris Ballard:** I'd like to thank the members from Stormont–Dundas–South Glengarry, Windsor–Tecumseh, Eglinton–Lawrence and Leeds–Grenville for their comments on the proposed Bill 106. I know that we certainly look forward to the input from all parties in order to make sure that this important piece of legislation is the right piece of legislation for condominium owners in the province.

I can say that in my previous life in consumer advocacy, I was impressed by the amount of consultation with consumers, with owners and with consumer advocates on this bill, and I know that that will continue going forward. We have listened to people from across the province and incorporated a lot of what they've told us into this proposed Bill 106, and I know that, working with members opposite, we will be able to make this bill even stronger.

In my riding of Newmarket–Aurora, which is very much an urban and formerly rural area—it's certainly not downtown Toronto, with condominiums and glass towers everywhere, but there is a considerable amount of development going on, and I'm surprised, frankly, at how much of it is condominium development. It is the way of the future, especially as we intensify. I know that as an MPP I get telephone calls consistently from condominium owners who have questions about what their rights and responsibilities are, so I know the need for this bill and I know the need for what it puts in place and I look forward to seeing it move ahead.

As I said earlier, I look forward to working with all parties to make sure that the legislation meets the needs of a very growing industry, a form of housing, and really help to build and strengthen condominium ownership in Ontario.

**The Acting Speaker (Mr. Rick Nicholls):** Further debate?

**Mr. Randy Pettapiece:** I'm pleased to rise today to speak on Bill 106, the Protecting Condominium Owners

Act. That, in title, is what it is. It's the Protecting Condominium Owners Act. I will be splitting my time with my colleague the member from Stormont–Dundas–South Glengarry.

To see why this issue is important, all we have to do is look to the south from Queen's Park at the skyline. The number of condo owners has multiplied. Even in smaller communities and towns like the ones I'm privileged to represent, many people are choosing to live in condos. It's not a new trend; it has been happening for many years. Certainly, since this government was elected in 2003—that's almost 12 years ago, though it sometimes feels much, much longer—so it's disappointing that it has taken this government this long to introduce new legislation to protect condo owners. In fact, the most recent condo legislation is from 1998.

Today, 1.3 million Ontarians live in condos. There are currently 700,000 condo units in Ontario, with another 51,000 units under construction. That's up from 270,000 units in 2001.

Some 50% of new homes being built in Ontario are condos. A lot of that growth is in the GTA but, as I said, there are also condo units being built in Perth–Wellington and across the province.

We in the PC caucus know that home ownership is one of the best investments a family can make. Families need to know that they will be protected once they have made this substantial financial commitment.

Condominiums have a unique set of challenges, as they differ from both apartments and homes. Each unit is individually owned, with a board of directors governing the building as a whole and a third-party property management company responsible for the maintenance of the building. This creates a network of relationships, each of which must be managed responsibly, transparently and in an accountable manner. For years, condominium owners have been contacting this government to share their concerns and recommendations. Finally, in 2013, the government launched a consultation which brought together condo owners, developers, managers and industry experts. I understand that this review generated over 200 recommendations, many of which suggested reforms to strengthen consumer protection and support the needs of current and future condo owners.

1620

Having spoken with condo owners and managers, I know there has been a need for reform for many years. Condo owners have had difficulties dealing with building boards; managers are dealing with the lack of formal training; and issues often have little recourse other than the legal system. I have heard many common concerns from the condominium industry. In particular, condominium owners have been seeking enhanced consumer protection for years.

While I served as critic, I met with many condo owners. I heard horror stories from condo owners about the lack of protection and the lengths they have gone to in order to protect their financial investment. One family in particular lost their condominium after a prolonged



legal battle with the condominium management company and board. Those kinds of cases are simply unacceptable.

There is no doubt that condominium owners need and deserve greater consumer protection. That's why I'm encouraged by measures such as the proposed requirement for developers to give condo buyers a copy of an easy-to-read guide to condominium living at the time of sale. This kind of information is imperative for prospective buyers, to help them make informed decisions, especially when compared with the legalistic contracts currently in existence, which I have heard are commonly hard to understand.

This act proposes a number of changes geared towards increasing consumer protection. The act is set to provide more comprehensive rules, to prevent any buyer surprises after a condo purchase. It will also enable the government to create regulations for standard condominium disclosure statements. I think these are positive measures that will benefit condo owners.

The other primary areas of change in this bill raise a few more issues. Let's start with how condominiums are run.

As I discussed earlier, each condominium unit is individually owned, with a board of directors governing the building as a whole and a third-party property management company responsible for the maintenance of the building. The relationships boil down to a host of government issues. The condominium corporations themselves are self-governing communities. Unit owners elect their own government, commonly known as the board of directors. This board is responsible for the condominium community and makes decisions on its behalf.

This act would like to change the mechanisms of the condo board processes. For example, one section would make it easier for condo boards to hold a meeting through conference calls or other off-site meeting technology. On the surface, this seems like a straightforward change. However, I would caution that it's important these new permissions be open and transparent. For responsible condominium boards, these will no doubt be positive changes. However, for some condo boards, changing the style of meetings and certain processes may leave the door open to additional mismanagement, which I've heard is already an extremely serious issue.

Becoming a condo board member is not particularly difficult. These boards are given significant responsibility, but there are few checks on who can become a board member and the power they hold once elected. I have been contacted by many condo owners who have had many legitimate and serious concerns with their condo's board of directors. I know this issue was also raised during the government's review, with many condo owners reporting abuses of power, including bullying, cronyism and kickbacks. Some proposed solutions to address these governance issues have been left out of this bill, and I believe they require further consideration.

During the condo act review, participants suggested instituting a system of penalties for noncompliance. If condo board members were failing to comply with legal

obligations, it should follow that there is some type of consequence. I hope that during committee review, issues of enforcement will receive a greater deal of scrutiny.

Another identified concern is owner disengagement. I have had worries that fewer owners are turning out for meetings and annual general meetings, which not only means that it's difficult to meet quorum but that it can be difficult to find new recruits for board positions. While I understand that this act will require condo boards to issue regular updates to owners on issues, including the corporation's insurance or legal proceedings, I'm not convinced that the government has done enough investigation into the underlying issues of owner disengagement.

Condo owners certainly deserve regular updates about the status of condo businesses, and I'm sure it will be helpful to have this requirement in writing. However, written updates do not do enough to give owners more voice. Owners need to be provided with opportunities to provide input at board meetings. They need clear information about their rights and responsibilities, and they need open communication strategies when it comes to their condo corporation. I hope that this act is a first step to providing these rights, and I hope that when it comes before a committee, these governance concerns will be given their due consideration.

The third main issue that this bill addresses is financial management rules for condominium corporations. As anyone who has lived in a condo knows, a reserve fund is necessary for a condo corporation to ensure that repairs and upgrades can be made to the building as it ages. With many condo buildings being developed, it is important to address this issue now so that there are adequate reserve funds for future needs. Existing condo buildings share many lessons about how reserve funds should be structured. There need to be standardized requirements for a reserve fund study and these requirements must specify what exactly is to be included in the study. There needs to be clarity about reserve funding requirements and how they are met. The word "adequate" is not enough; the government needs to tell us how they define "adequate." We know, Mr. Speaker, that the government has had a tough time with that particular definition over the years, but here's a chance to give it one more shot.

Finally, we need to ensure that reserve funds meet each individual corporation's needs. I have heard from those affected in cases where the corporation has required significant contributions for repairs that the owners were not prepared for. This is unacceptable and defeats the purpose of reserve funds and reserve fund studies. Financial management issues surrounding reserve funds are already issues for many condo buildings, and they must be addressed to keep pace with the current condo boom.

I'd now like to discuss some of the more contentious measures of this bill. I'm very concerned about the increased red tape and the additional levels of bureaucracy contained in this bill. Let's start with the licensing of condominium managers. I must start out by saying that

there are many well-trained professional managers with exceptional integrity. This should be the standard for all condo managers, but the current reality is that it's not. Right now, there are no requirements to become a condo property manager. How the government has allowed that to be the case for so many years I simply do not understand. There are many demands on a condominium manager. He or she must have a strong understanding of the Condominium Act and must be fluent in the bylaws of the individual community they manage. Many condo managers are responsible for the day-to-day management of a condo building, which can mean responsibility for millions of dollars. I would love to hear the government explain why it has never before mandated training for individuals who are tasked with the responsibility for the contracting, building maintenance, and financial management of a condo building.

This act plans to introduce a new Condominium Management Services Act and regulations that would address this inadequacy. It's my understanding that the new act would set out a compulsory licensing system for condo managers and management firms, training and education for managers, and a code of ethics for condo managers. I think, in theory, this is a great first step to improving condo governance. Where I strongly disagree with the government is how this licensing is to be implemented. The government, through this act, plans to create yet another new administrative authority, which will administer the licensing and training to be set out under the Condominium Management Services Act. This means we can expect to see a new licensing authority, which will be an independent, self-funded, not-for-profit corporation. This should raise many red flags.

1630

We've seen all too often how well this government's administrative authorities and independent agencies function. We think of eHealth, we think of the Ornge scandal, we think of the serious accountability issues that plague the agencies that are supposedly overseen by this government. Do we really expect that this government, which is currently under four OPP investigations, will take issues of accountability and integrity seriously?

The government has left so many unanswered questions when it comes to this proposed licensing authority; here are just a few.

What will the operating expenses be for the authority? How much is this new bureaucracy going to cost condo owners, managers and management firms? How much will a licence cost?

What kind of training and education will the manager have to complete? How long will it take to complete the training and education necessary to become a licensed manager? Will current managers be grandfathered into the system?

What specific qualifications will an individual need to become a licensed manager? How often will these licences have to be renewed? How long will it take to get this new system up and running?

These are important questions that deserve answers. Condo managers and owners need to know whether these

new requirements will actually be in their best interests or whether this is simply another government tax grab. My money is on another government tax grab.

I also have to wonder why the government is trying to reinvent the wheel when it comes to condo manager education. I know there are already outstanding training programs for condo managers. I think the government should be doing more to support these already developed courses. Why not invest in an organization like the Association of Condominium Managers of Ontario which already has a program in place to provide a registered condominium manager designation? The Association of Condominium Managers of Ontario has an established partnership with Humber College. The college provides a part-time program with evening and weekend courses for prospective condo managers. Once an individual completes their Humber certificate, they can then write the ACMO's comprehensive registered condominium manager exam. This is a proven system with a high set of standards for condo managers.

Instead of reaching out and working to expand this program across the province, the government plans to introduce more bureaucracy. We all know how well that went over with the creation of the Ontario College of Trades. Licence fees skyrocketed with no apparent benefits to tradespeople. Using the old standby excuse of "increasing consumer protection," the government instead made it harder for tradespeople to maintain their livelihoods. Over and over, I have said that the government needs to get out of businesses' way and let them do what they do best. This situation demands the same: Let these experts do what they do best, and support them in that goal. Don't set up a new bureaucracy with more red tape and exorbitant expenses to recreate what's already being done, and being done well, I might add.

I am now going to move to arguably the most important and most controversial part of this bill: the condo authority. The condo authority will be responsible for administering condo owner education, dispute resolution and a condo corporation registry. In particular, it will provide a registry for all condo corporations in Ontario, including their board of directors and contact information. It will provide a guide for condo buyers, setting out unit owners' roles and responsibilities. Most notably, it will provide dispute resolution services, including mediation and a tribunal.

As with the licensing authority, the condo authority will be an independent body operating as an administrative authority. From what we have gleaned from the act, the government will provide all the start-up funding for the condo authority and it will then be up to the condo owners to finance its operations. Not only will users of its service be paying; a fee will also be levied on all condo corporations across the province. The condo corporations would collect the fees to run the condo authority from owners as part of monthly common expenses. Figures on the proposed monthly levy range from \$1 to \$3 a month per owner. It's cited that this will give the condo authority an annual budget of \$10 million to \$20 million.



Comparatively, it is estimated that the annual operating cost of the Ontario Municipal Board is \$7.6 million and the annual cost of the Landlord and Tenant Board is \$21.6 million.

The condo authority will be delegated to administer the Condominium Authority Tribunal. The tribunal's objective would be to resolve disputes through case management, mediation and adjudication. The tribunal's discussions would be binding and enforceable, as if they were a court order.

The government claims that with the creation of the condo authority and the Condominium Authority Tribunal, condo owners will have a cheaper and faster way to resolve disputes. I absolutely agree that those services should be available to condo owners; however, I very much doubt that the government will be able to follow through on those promises. After all, when's the last time this government did much of anything cheap or quick?

In my constituency office, we frequently receive calls from constituents who are dealing with the Landlord and Tenant Board, the WSIB or the Social Benefits Tribunal. All these agencies provide an avenue of last resort for people to deal with their disputes or appeals. Based on anecdotal evidence, nothing about these dispute resolution agencies is quick and easy. Constituents are easily waiting six months to a year for their cases to be heard and for a decision to be rendered.

In the case of the WSIB, there is a separate body, the Office of the Worker Adviser, that is designed to assist workers with the appeals process. Not only is the WSIB's appeals system backlogged, but I've heard that, based on an overwhelming number of cases received by the Office of the Worker Adviser, they now have to prioritize cases and put others on waiting lists.

These examples can be extended to almost every government agency and program. Families in Perth-Wellington and across the province are in desperate need of developmental services funding for their children. Despite the government's promise in 2014 to invest \$810 million in developmental services, families and community organizations have yet to see or benefit from that money. Children, young adults and their families are waiting for funding to pay support workers, provide respite or find appropriate housing to suit their needs. I speak to families on a regular basis who have been on waiting lists with Developmental Services Ontario for years and have yet to receive the support they need.

My office works with commercial drivers who are waiting for over a month to have their licences reinstated by the Ministry of Transportation after a medical suspension. The physician records get sent in, and then it takes around a month for these records to actually be reviewed.

I have received calls from social assistance recipients asking us to speed up their tribunal hearing because they have been without benefits for months and cannot afford their bills. I work with seniors waiting to move into a long-term-care home, but there are no beds available. I

hear from constituents who have been waiting for months for important surgery to improve their quality of life.

The overarching theme here is that this government makes big promises but does not follow through. They're doing a great job of writing press releases, which they always send to the media and, on increasingly rare occasions, to opposition MPPs, but when it comes to actually following through on their promises, they fall short—way short.

Telling condo owners that they are now going to have access to a fast and easy dispute resolution system does not ring true when we hear every day from those waiting months and years to access the services they need from already-existing government agencies.

The government's track record on sourcing work to agencies and authorities should also serve as a warning sign about the effectiveness of a condo authority. Let's look at Hydro One: Not only has this government caused hydro rates to skyrocket; it has let Hydro One run completely out of control. Whether it's bloated executive salaries, expensive and unsustainable hydro pensions or poor customer service, Hydro One, as confirmed by the Ombudsman of Ontario, has lost sight of its public interest purpose. My office has been inundated with calls over about the last two years because of hydro bill issues. I cannot tell you how many calls we received from people who went months without ever receiving a bill and from those who received incorrect bills.

**1640**

We used to send those complaints to Hydro One, never to hear back. It was quite common for constituents to wait up to six months to hear from Hydro One to discuss their concerns. That kind of service—

**Ms. Ann Hoggarth:** Point of order, Mr. Speaker.

**The Acting Speaker (Mr. Rick Nicholls):** Point of order: I recognize the member from Barrie.

**Ms. Ann Hoggarth:** I was wondering if we were going to talk about the bill that is on the floor.

**The Acting Speaker (Mr. Rick Nicholls):** I believe he is.

**Ms. Ann Hoggarth:** I've been hearing all sorts of talk about Hydro and other things.

**The Acting Speaker (Mr. Rick Nicholls):** I've been listening intently and he is addressing the bill.

Please continue.

**Mr. Randy Pettapiece:** That kind of service from a government agency is appalling. The fact that this government chose to bury its head in the sand instead of addressing the serious issues at Hydro One gives me reason to believe they are afraid of tackling the hard issues. Even now, instead of dealing with the ongoing Hydro issues, the Premier's plan is to sell off the agencies.

We on the other side of this House don't think that the government is taking into consideration the best interests of the people of Ontario. The decision to sell Hydro One was made without public input, and the sale will be done in complete secrecy. That's not to mention the issues surrounding the loss of majority ownership and the loss

of independent consumer protection. It's ironic that at the same time this government is removing Ombudsman and Auditor General oversight over Hydro One, it's introducing a bill entitled the Protecting Condominium Owners Act.

While the government will try to convince us that the condo authority and the condo authority tribunal are being created in the name of consumer protection, I find it interesting that these new authorities, in fact, reduce consumer rights. As you look closely at the bill, you will find that any disputes that are eligible to be referred to the tribunal would have to take that route. That seems to mean that condo owners will not have the option of seeking outside mediation or taking their cases before the court, even if they believe that's the best course of action for their individual situation. Interestingly enough, we will not find out which disputes are eligible and therefore forced to go through the condo authority tribunal until after this legislation is passed.

This is not the only example of this government limiting people's rights to due process. Right now the government is considering introducing an online dispute system called an administrative monetary penalty system for offences such as traffic tickets. Instead of allowing people to appear in court to dispute a traffic ticket, the government wants to force people to go through a resolution process online.

In court, a case is heard by a judge or a judicial officer trained in the law. With the AMP system, we don't know who will be deciding the outcome of the case; we only know there are independent hearing officers. This is a definite reason to be concerned that this government is limiting our legal and appeal options. Modernizing the system to keep pace with the 21st century is important, but that should never mean that a government can eliminate a person's right to bring a case before the traditional legal system.

With the proposed introduction of the condo authority and condo authority tribunal, I also hold concerns about the accountability of these authorities. For a year, I worked on consumer concerns with the Taron Warranty Corp., which administers the warranties for new homes built in Ontario. The accountability of this delegated administrative authority was one of the top complaints by consumers trying to access Taron services. They did not feel that they received the answers or action they needed from Taron. After escalating their concerns to this government, consumers were told that the minister could not look into their concerns because Taron is an arm's-length agency.

I expect that anyone with concerns about the condo authority and the condo authority tribunal will hear exactly the same message from this government. When consumers cannot go to the government to address their concerns with government agencies, then we have a serious breach of accountability.

As with most government legislation, we have only the bare bones. We know the high-level goals this bill wants to achieve, but we don't know how that will be

accomplished or how much all of this will cost. And that concerns me.

This is exactly the same issue we ran into with the government's Ontario Retirement Pension Plan. The ORPP is set to begin taking peoples' money in 2017 and we still don't have all the details on its implementation.

Our party fought tooth and nail to stop this misguided plan from being introduced. We know that it's going to hurt businesses and employees by requiring contributions of up to 1.9% in annual earnings. What we don't know is how much the ORPP will cost to administer, how many jobs it's going to cost the economy, how the funds will be invested and many other important aspects that the government has failed to address.

As in the situation with this condo act, the government passed a bare-bones bill giving it permission to create the Ontario Retirement Pension Plan. Let me be clear: The PC Party voted against this tax grab and has stood up for the best interests of businesses and employees since the government floated the idea.

However, most of the specifics of the Ontario pension plan have never and will never come up for debate or vote in this Legislature, and that is because the decisions will have been made through regulation, which is at the sole discretion of the government.

That is what the government is doing with the Protecting Condominium Owners Act as well: It's giving itself permission to create these bureaucratic bodies without telling us what they look like and exactly how much they will cost to run. All we know is that the initial start-up capital will be funded by all taxpayers and, moving forward, costs will likely be shouldered by condo owners.

In my final thoughts, I would like to address the issues that this legislation has failed to address. One particularly pressing issue with the increase in condo development is phantom rent. I was recently made aware of a family who has been living in a new condo building for two years and is still paying occupancy fees to the developer. Occupancy fees are not uncommon and are fees paid to the developer before a condo building is registered and the buyer has taken official ownership. However, two years after moving in, paying occupancy fees is extreme, particularly as it means that not a penny of your payments is going towards your mortgage. As we are still in the midst of a condo boom, it is a glaring omission that this legislation does not address these pressing consumer and financial protection issues.

From my work with Taron, I also know that this bill does little to tackle builder and developer accountability. We have all heard the stories about falling glass windows and flooding condos. Some of these cases come down to building deficiencies. In tandem with Taron, I believe the condo authority should be tasked with addressing builder and developer accountability.

With the influx of condominium development and the trend towards urban condo living, there is no doubt that stronger and clearer rules and processes are needed. This bill addresses many of the issues that were raised by the



condo industry during the review process, and for that reason I plan to support this bill so that it can be considered in detail by an all-party committee.

It is my hope that, during the committee process, many of the shortcomings of this bill can be addressed and that condo owners get an opportunity to voice their feedback on the proposed legislation. I know when I contacted the minister months ago about a group wanting to make a delegation during debate on this bill, he was not open to the idea. That is not how our democratic process should work. Those who followed and participated in the condo review should have the opportunity to share their thoughts on the way the government has issued that information.

Moreover, all of those who have recently bought or moved into a condominium should be allowed to provide input on the legislation that governs their new home. We should be hearing directly from those affected by this legislation about whether it addresses their needs and how it could be improved.

Therefore, I am imploring the government to hold consultations during the committee process. As legislators, we should strive for the strongest legislation, and that cannot be done without consultation.

I will now turn it over to my accomplished colleague the member from Stormont–Dundas–South Glengarry for his comments.

**The Acting Speaker (Mr. Rick Nicholls):** Continuing along with debate, I recognize now the member from Stormont–Dundas–South Glengarry.

1650

**Mr. Jim McDonell:** I will be challenged to follow my esteemed colleague from Perth–Wellington, as he did a great job of pointing out some of the issues and some of the benefits of the legislation.

First and foremost, I'd like to take this opportunity to congratulate our new leader, Patrick Brown, in his by-election just two weeks ago. His huge gain in popularity over the previous election shows the willingness or the desire, or maybe the urgency, in this province to have a change of government. We unfortunately have to wait a couple of years for that.

Ontario residents have access to a growing choice of consumer products and services. This, however, comes with the added cost of increasing complexity. The consumer's ability to understand a contract's terms and all the attached conditions becomes the basis for making a fully informed choice beyond basic factors such as price, quality and guarantees. Condominiums are a good example of how Ontario's consumer market has evolved and how our laws need to take these rapid changes into account.

In 2001, there were 270,000 condo units; now, there are over 700,000, with another 51,000 under construction, so we can see that the market is exploding. An Ontarian who purchases a property in a condominium becomes more than just a homeowner; they join a community of shareholders in a condo corporation responsible for managing a significant reserve fund and

maintaining the value of what is, for many families, their single largest investment: their home.

Unlike a rental unit, where most responsibilities are clearly defined between the tenant and the landlord, in a condominium environment, property ownership has to coexist with the responsibility towards fellow owners in the same building and communal expenses. Communal elements paid for by all unit owners in the building—such as lobbies, gardens, exercise rooms, pools and outdoor decks—contribute significantly to a building's attractiveness to prospective buyers and consequently the value of each unit. Condominium owners are, therefore, essentially co-signatories to each other's property investment.

In this context, disagreements on various issues are inevitable. The current system of dispute resolution does not work in the owner's best interests. Retaining an appropriately skilled lawyer to represent you in court over a condominium dispute is expensive and is, today, a significant cost concern for prospective condo owners. The proposed reform addresses this by transferring dispute resolution in condominiums to a separate tribunal similar to the Landlord and Tenant Board.

The proposed reform states that matters such as liens for non-payment of dues to the condo corporation, purchase interest, determining liability in common areas, dangerous activity in the unit, corporation amalgamations and terminations, and property titles will automatically be excluded from the tribunal's jurisdiction and will therefore have to be settled in the courts.

We've been told that the new condominium authority, including the tribunal, will cost the average condominium corporation approximately \$12 per unit per year. With 700,000 estimated condominiums in Ontario, the total budget of the authority is expected to be \$8.4 million annually.

If we compare this to the Landlord and Tenant Board's budget and the client market size for 2010-11, the last year before the financial consolidation of all Social Justice Tribunals Ontario accounts in the province of Ontario, we see that the board had approximately \$30 million in expenditures for a rental market of about 1.4 million units, or \$21 per unit per year.

The condo authority will have a broader mandate than the Landlord and Tenant Board. It will include duties such as condo owners' education, the production of information materials such as a condo guide, and the maintenance of a registry of all condominium corporations in Ontario.

I would like to expand on this mandate in particular. The government's record with information technology is far from stellar. On-time and on-budget performance is the exception rather than the rule. We only need to look at the most recent efforts to introduce new computer systems in the health, justice, social assistance and child services to see the evidence of poor design, poor contracting and definitely poor oversight over projects. We remember calamities in eHealth and SAMS, just to mention a few.

We welcome the government's guarantee that the authority will be subject to the Auditor General's oversight, yet we must also point out that preventing bad management and bad accounting is better than finding about it months after the investigation is completed.

Bill 106 creates a potential significant caseload for the tribunal by addressing—rightly—condominium owners' concerns about noise from other units. While disputes referred to the condominium tribunal under this new provision and other existing ones may be fewer than those presented to the Landlord and Tenant Board, we are concerned that the government's total cost estimate of \$12 per unit is far too optimistic.

An individual's household budget would not be significantly impacted by cost overruns in the authority, since we are talking about a few dollars a year. This would, however, join a string of hidden increases in the cost of living in Ontario that cannot be allowed to continue.

Back in 2013, our caucus obtained plans by this government to levy new and higher user fees on Ontarians in order to increase this government's revenues. Some of these increases, such as the rising cost of vehicle registration, are already causing many of my constituents concern.

The Ministry of Consumer Services oversees several authorities that it defines as self-funding, meaning they collect for the operations directly from their clients in the form of licence fees, inspection fees and similar revenue-collection initiatives. Collectively known as delegated administrative authorities, they act at arm's length from the government while being the sole makers and enforcers of the rules in their respective spheres of influence. They include the Technical Standards and Safety Authority and the Electrical Safety Authority, amongst others.

I have advocated on behalf of several law-abiding, experienced business owners and contractors whose compliance and inspection costs were driving their enterprises into the ground. When you include the hydro costs and massive regulation, you can see why businesses are leaving Ontario in droves.

The model of agency funding that is proposed for the condominium authority is far from perfect. There is a need to have strong safeguards against escalating costs. The act, as written, does not contain such guarantees. We look forward to hearing from condominium owners and consumer groups regarding this issue and ways to improve consumer protection from a less-than-accountable arm's-length agency.

It is important to point out that the authority may not decrease the legal costs associated with resolving condominium disputes. A court case could be expensive. However, many constituents bringing their cases to administrative tribunals will feel the need to retain qualified legal counsel in order to make their case. My constituency office regularly refers clients to our community legal clinic on matters related to landlord and tenant proceedings, the Social Benefits Tribunal and other adjudicative bodies.

Building a strong case in any adjudicative setting is a time-consuming task that requires good knowledge of the law being enforced and awareness of the evidence and standards being used. The closest example is the Licence Appeal Tribunal, where homeowners facing difficulties with builders and the Taron corporation feel that retaining a lawyer is an essential prerequisite to any chance of success because of the complexity of the building code and the other acts pertaining to new homes.

The length of a proceeding before the condominium tribunal is also not guaranteed. Taking a proceeding out of the court system will not guarantee a speedy resolution unless the government appoints a sufficient number of adjudicators to deal with the caseload as it grows, which it will inevitably do.

I will cite two examples. The Workplace Safety and Insurance Appeals Tribunal saw a doubling of its caseload between 2010 and 2014, resulting in significant processing delays for workers seeking WSIB compensation. The Social Benefits Tribunal has a nine-month wait period for a decision. Over half the appeals in the Social Benefits Tribunal regarding disability support are granted, meaning that a large number of disabled Ontarians, whose finances are already strained by a loss of income and medical costs, have to wait nine months in order to receive assistance that they are entitled to.

#### 1700

The main goal of Ontario's condominium owners should be swifter and more affordable justice. If it doesn't deliver these two objective, measurable outcomes, the authority will deliver no value for money.

Simply delegating the dispute resolution process is not the answer. Once established, the tribunal must be given the resources to operate effectively and transparently. We will continue to monitor the development of the tribunal and will take consumer feedback into consideration for possible amendments.

The complexity of condominium ownership begins even before the owner moves in. The declaration, arguably the fundamental document for the condominium, sets out important criteria, such as the unit limit and defining the common areas of the building. To some, this may appear to be a mere technicality. Different declarations may mean that owners are responsible for the plumbing and electrical components in the walls, or the maintenance, upkeep and repair of exterior walls of the unit and other structural parts of the building.

The declaration could also contain fundamental aesthetic provisions, such as the style and colour of visible decorations, including blinds and balcony furniture. Consumer opinions may differ on whether such limitations on freedoms of property ownership are necessary. However, it is undeniable that the content of a declaration, when explained plainly and clearly, should be a contributing factor to the decision whether or not to purchase a unit in a specific building. For instance, a consumer could choose to take a higher condominium fee to live in a building where plumbing and electrical work are the corporation's responsibility, more akin to a rental



situation. Others may prioritize a building with plenty of resident amenities which may command a higher fee and a higher purchase price regardless of the unit limit.

The government's reform begins to address the complexity of condominium ownership by creating the condominium guide, a document to be published by the condominium authority outlining the rights and responsibility of ownership, as well as how condominium corporations are governed and how owners may request information and meetings. The proposed act allows government to make regulations regarding the form and content of declarations and disclosure statements.

As with previous efforts by this government to delegate a certain aspect of the legislation entirely, the PC caucus intends to consult with the consumers and stakeholders in order to identify the key components of a declaration and the means by which such a disclosure should be enshrined in the act.

The most significant innovation in the proposed reform is the requirement for licensing condominium managers. The profession is currently self-regulated on a voluntary basis through the Association of Condominium Managers of Ontario. Except for ACMO standards, there is no universal standard for training for managers, or a unified code of conduct. In the growing condominium market, this may be a significant problem.

There are over 9,000 condominiums in Ontario. Only a fraction of managers in those condominiums have completed ACMO's training and certification program and abide by the association's codes. We recognize that most condominium managers act in good faith. However, the financial repercussions of inefficient management are severe for a condominium corporation and the unit holders.

There is no prohibition in today's Condominium Act against an unqualified individual becoming the manager of a condominium. Unit owners are, therefore, taking a potential gamble when the corporation chooses a manager to administer the building's day-to-day operations. ACMO helps condo boards in this task. However, the shortage of certified managers and the voluntary nature of many condo boards increases the chance of recruiting a well-meaning but less-than-qualified manager.

On the furthest end of the scale, we have seen episodes of managers defrauding condominium owners with badly executed or overbilled contracting work. One recent case is under police investigation: the charging of a manager in the Hamilton-Burlington area, the charges against whom include fraud and embezzlement. A high-profile case in 2011 involved a manager borrowing \$20 million against several condominium corporations and then fleeing. Something has to be done.

Volunteer condominium boards need the reassurance of a management profession consistently subject to oversight and discipline. The government's reform includes stronger education and qualification requirements for condominium boards, as well as restricting the practices of the condominium management profession.

We must, however, temper our enthusiasm. Several professions in Ontario are regulated, and their practice

outside of the registered professional bodies is forbidden. These include accountants, teachers, surveyors, engineers, social workers, architects, lawyers and medical professionals. The common thread linking these professions is the high level of trust placed in these professionals by the public and the high stakes involved in their practice.

Given the immense value of the home investment to an average Ontario family, the mandatory regulation of condo managers is in the public interest. Bad condo management damages families' economic prospects and reduces the value of our economy.

Regulation, however, is no substitute for uprightness and morality. Regulating condo managers will not abolish bad faith or fraudulent intent in those determined to pursue them. Regulation will, however, bring qualified managers under the same umbrella and train those well-meaning managers whose skills need to be upgraded in order to best serve their board, establishing a common set of professional measures by which a good manager may be assessed.

For the condominium boards, this will mean greater efficiency in choosing a manager. The fact remains, however, that condominium owners and boards need to be given tools, authority and knowledge to proactively scrutinize the work of their management company.

One of the greatest sources of owner concern and frustration is the lack of transparency in certain procurement processes. The act does not create the criteria for transparent procurement; it merely creates the power for the minister to make regulations defining those criteria. Although the government committed publicly to creating a sealed-bid, competitive procurement process, we are unable to judge whether this will deliver any greater guarantees to the homeowner.

The only mention of procurement in this bill is the new section 39.1, which states: "A corporation shall not enter into a prescribed contract or transaction unless the procurement process and other contracts or arrangements that the corporation entered into in relation to the contract or transaction meet the prescribed requirements." The minister retains the power to define what contracts should follow this new, more transparent procurement process and what the actual process should be. We believe this section could be improved by making certain competitive procurement practices mandatory, such as sealed bids and multiple quotations.

Right now, we are unable to foresee what the condo authority or the licensing authority will do in regard to regulating condominium procurement conflict of interest. A more transparent, sealed-bid process is not immune from influence by the minority of managers and contractors who act in bad faith. For condominium owners, this results in the condo fee and reserve fund being depleted, while the value of a home in their building is potentially under threat.

Letters cited by several condominium information resources highlight the fact that bad managers often have inappropriate financial interests or relations with the contracting company, and resist scrutiny by being unresponsive to owners' concerns or resort to intimidating tactics.

Regulating condominium managers will make it easier for owners and corporations to take action, should such a situation arise. However, it will not prevent it. It will fall to the licensing authority, then, to define the conflict-of-interest framework in condominium management, if it chooses to do so. Nothing in the proposed act sets out an obligation for the new managers' regulatory body to address conflict of interest.

#### 1710

The province already regulates conflict of interest in other areas of public life. The PC caucus believes that incorporating a legislative mandate for the new licensing authority to regulate professional conflicts of interest for condo managers will give Ontario's homeowners greater confidence in this new agency.

I would like to take a few minutes to highlight the oversight mechanisms for the new condo authority and the licensing authority for condominium managers. For both agencies, the appointment process is detailed in schedule 1, section 1.10, and schedule 2, section 11, stating that the appointment of certain directors of each authority is by minister's letter, similar to the appointment process for the Technical Standards and Safety Authority, the Tarion Warranty Corp. and other agencies.

Without any cabinet appointments or provincial share capital, both the condo authority and the managers' regulatory body would be outside of the reviewing powers of the government agencies committee.

Most regulated professionals in Ontario, where practising is forbidden unless one is licensed by an authorized body, are overseen by a college or association that contains at least one appointment by the Lieutenant Governor or in Council. Just a couple of weeks ago, the members from Perth–Wellington, Huron–Bruce and I conducted a two-day marathon of committee hearings in order to interview public appointees, including candidates for professional association council positions.

We shouldn't legislate to create a professional monopoly without retaining direct legislative oversight over its operations. The PC caucus will submit an amendment to ensure that at least one member of the board of directors of the condo authority and the managers' licensing authority is appointed through a certificate by the Lieutenant Governor in Council. It is a minor change that will not delay any appointments while ensuring public accountability for both of these regulatory bodies.

This concern extends further to the appointment of the members of the Condominium Authority Tribunal. As the bill is written, the tribunal would be composed of members appointed by the authority, which would in turn be appointed by the minister. This arrangement takes the tribunal, empowered to make adjudicative decisions, out of the realm of legislative oversight altogether. The public would not tolerate such an arrangement for any other adjudicative body. It should not be expected to tolerate it for the condominium tribunal either.

We can trust the condominium authority to recommend the most outstanding adjudicators for appointment. Vesting them with the power to make potentially life-

changing decisions for homeowners, however, should only be done through an appointment by the Lieutenant Governor, as is done for members of the Landlord and Tenant Board and other dispute resolution bodies.

The Ontario PC caucus will propose an amendment that will ensure members of the tribunal will be appointed with legislative oversight. Section 169 of the Residential Tenancies Act serves as a good model for this, and it states very simply that the members of the Landlord and Tenant Board shall be appointed by the Lieutenant Governor in Council.

We have new legislation before us that is long overdue and has been asked for by the industry, an industry that has swelled in numbers over the last number of years. We look forward to the passing of this legislation, and we will be working with stakeholders to ensure that they have ample time to be at committee, to view concerns with the legislation. We will be proposing amendments based on that review, and we hope the government works with us as we listen to these stakeholders.

The legislation is long overdue. People have been asking for it. In my former role as critic, I met with many groups that were pushing the government and ourselves, as the loyal opposition, to help ensure that this legislation went through. When we're doing it, let's hope that it's really there to solve an issue that has been created over the years. We look forward to getting it to committee, and we want to see this legislation passed as soon as possible.

**The Acting Speaker (Mr. Rick Nicholls):** Questions and comments?

**Ms. Cindy Forster:** I look forward to having longer than two minutes to actually talk about this bill. The former member from Trinity–Spadina, Rosario Marchese, four times in five years brought forward a bill, and he would be happy that this bill is here today, but it is lacking in many areas. There is no Tarion reform. There are no protections against shoddy construction. There needs to be a comprehensive and affordable dispute resolution that includes condo managers and developers, not just condo owners and boards, and the bill still needs to rein in unethical developer behaviour, including their habit of promising one thing when you buy your condo and later delivering something else.

I have personal experience, having bought a condo six or seven years ago in Welland, one of the first condos built. An unscrupulous developer-builder named Pointe of View at the time left town after they built bad condos both in Welland and in Brampton. Six or seven years later, we're still on the hook. They come in, they promise you all kinds of things, and then they close up shop and leave town. They then resurface under another name in another province, and they leave the condo board and the condo owners holding the bag not only for repairing their units but for paying huge engineering fees to engineering companies, so that they can then move on to their next fight with Tarion.

I can tell you that in my experience the fight is still on six years later. Those things need to be addressed in this



bill, as well. They're not, and you can be sure that the NDP will be tabling amendments to make sure that they are.

**The Acting Speaker (Mr. Rick Nicholls):** Further questions and comments?

**Mr. Bas Balkissoon:** I'm pleased to be given an opportunity to add a few comments to the two speakers on the other side. Originally, I was going to comment on the bill, but I listened carefully to both of them, and I just want to respond quickly to some of the comments made, because I think it struck a little bit of a chord in some of the stuff I've been involved with over the years.

The member said that the Association of Condominium Managers of Ontario exists today. I just want to remind him that it exists as a voluntary organization, and the bad apples we have out there who are condo managers, the ones who create the fraud and everything else that has been going on that condo owners have been complaining about, are not members of that organization. This act makes it mandatory—

**Interjection:** As it should be.

**Mr. Bas Balkissoon:** As it should be. This act also mandates the type of training they have to have. This is a big improvement to what we have out there. I know that the association exists today, but I can assure you that the association worked with the ministry on this particular issue, and they are supportive of this.

The other thing that the members across the way, both of them, mentioned is that they don't have confidence in the condo authority and the tribunal, and they're not sure that this government will follow through. I would remind everybody—because I've had a lot of experience, both personally and on behalf of my constituents—of the Ontario Human Rights Commission. It was backlogged. It would take you six to seven years to get your cases through.

It was this Liberal government that split up that commission, and we now have the Ontario Human Rights Commission, which does the work of human rights, and we have the tribunal. And since the tribunal was created, there are no more complaints out there in the community. People are happy they are getting their cases heard, and they can get to the front of the line.

I thank you very much. I had a lot more to say, but maybe I'll come back.

**The Acting Speaker (Mr. Rick Nicholls):** Further questions and comments?

1720

**Ms. Lisa MacLeod:** It's my pleasure to join debate today for Bill 106. I want to congratulate my colleague Mr. Pettapiece from Perth—Wellington, as well as my colleague from Stormont—Dundas—South Glengarry. I think they had an easy transition between the two of them from former critic to current critic.

I'd be remiss not to congratulate—in my first opportunity to speak since he has been elected leader—Patrick Brown for coming into the Legislature, joining this assembly, and providing strong and stable leadership

that will eventually topple this Liberal government in 2018.

To that end, in terms of Bill 106, I think it's important to know that this bill—or bills like it—have been before this House several times since I was initially elected nine years ago. I must say to my friend Armand Conant, who has been here time and time again, and who was here earlier today, that it's important that we all do support this government initiative, given the fact that it did take a number of cries and calls from the opposition.

My colleague from Welland actually mentioned a good friend of this House, someone who was here yesterday—Rosario Marchese—and his advocacy on behalf of those who live in condominiums and who have condominiums across the province.

I think that this is a piece of legislation that we can all support. It's one that has taken members of this assembly a great deal of time in order to get this far. We're looking forward to seeing this bill pass in a timely and expedient manner, so that stakeholders like Armand can feel that the amount of hours and time and meetings that they have spent here at Queen's Park have been successful and have been worth it.

Speaker, I want to say thank you for allowing me this opportunity to rise in debate.

**The Acting Speaker (Mr. Rick Nicholls):** Further questions and comments?

**M<sup>me</sup> France Gélinas:** I too was very interested in what the two speakers had to say, and I agree with big parts of it. Since Rosario first brought the need to update the condo act to this House—in 2007, Rosario Marchese put his first bill to reform the act. It has been a long time coming, and finally, part of it is here.

Why did he do this? For many, many reasons, such as: Did you know that right here, right now in Ontario, throughout our province, 45% of the people who buy condos are single women? They sometimes have a really tough time getting their voices heard. Rosario wanted to give those women a voice.

Why did he want to do this? Because a lot of people were having a tough time with the developers. But the developers are completely—or almost completely—out of this bill. They should be in. Why should they be in? Because right now, if you look, there are seven class action lawsuits from condo owners against developers. Why, after eight years, are we finally doing a little bit of updating on this condo act, but we don't even look at the elephant in the room, which is the developers?

I have a smidgen of an idea for this. If you look at the donations that the developers give to some of the political parties in this room—not the NDP, I can guarantee you that—that may explain some of the reasons why there is no protection against the developers, although so many condo owners want that protection. It's our responsibility to give it to them, like Rosario Marchese wanted us to do.

**The Acting Speaker (Mr. Rick Nicholls):** Back to the member from Stormont—Dundas—South Glengarry for final comments.

**Mr. Jim McDonell:** I'd like to thank the members from Welland, Scarborough—Rouge River—although misdirected—Nepean—Carleton and Nickel Belt for their comments.

I do feel for people like Armand Conant and Rosario Marchese and the years that they spent trying to get this government to move on something that should have been straightforward. I think everybody agrees; I think, from my understanding, all three sides of the House agree that the legislation was required, and now we're seeing something that's eight years. It's too bad we couldn't spend eight years on putting the sale of Hydro One on the board because maybe then we could cancel it before it goes through. Unfortunately, bad legislation goes through in a hurry but good legislation takes a long time.

We have a lot of issues here that we've talked about. We're looking forward to hearing in committee some of the concerns. I know, in meeting today with representatives from the condo associations, that they do have some concerns. So we'll be looking for that.

When we talk about the common theme for all the messages around here—and from the comments, it was about the length of time to get this legislation through. Certainly, eight years is a long time. We should be thankful the government is finally moving on it. It's not done yet. They have to call it up and then finally get it through second and third reading and call for royal assent. We're hopeful because it's a good start. There's some good legislation here that we'll be working through. The condo owners and managers have certainly been waiting for this for a long time.

**The Acting Speaker (Mr. Rick Nicholls):** Further debate?

**Mr. Jagmeet Singh:** It feels a bit like *déjà vu*; I feel like I got up earlier on something similar.

This is a great honour, because I follow in the footsteps of a legendary member of provincial Parliament who has done tremendous work on this issue. So before I begin, I feel like it's appropriate, though I'm the critic for consumer services to give a salute to the former member from our caucus who has done tremendous work on this file, Rosario Marchese, the previous member from Trinity-Spadina. I want to recognize that.

This area of law, or this area of protection, is new because the development of condominiums is something that has happened very recently. While it expanded, the previous member, Mr. Marchese, realized that it was expanding at a great rate, particularly in his riding. Trinity-Spadina was, at the time, one of the most concentrated areas for condominiums. He noticed that there was a great boom in terms of condominiums but there was very little protection when it came to the condominium owners. So he raised significant issues.

One of the issues that I really want to focus in on is that many of the complaints that people have when it comes to their condominiums—those complaints are against the developers and condo managers. Those are the two individuals that people have the most complaints with, but very curiously, those are the two people that the

tribunal that's created by this legislation does not in any way cover. Those two individuals are exempt. The tribunal, the way it's structured, only reflects disputes, or only allows for an avenue to resolve disputes, between the condominium owner and the condominium board. While that's an important step—it's absolutely important; condominium boards and consumers and owners of condominiums certainly have a number of issues that arise, and having a mechanism to resolve that is important—the fact remains that many, and perhaps far more, complaints arise with the developer and with the actual condominium manager, and why that was left out of this tribunal process is something that is quite troubling.

The other area that is tremendously important—and we have to look at what goes on: When someone goes to a condominium and makes a decision to purchase a condominium, the actual unit itself is obviously quite important. You want to make sure that if you purchase a unit with granite, in terms of the kitchen, or if you purchase a unit with certain flooring, you get those items. You've paid for them; you expect to receive them. The developer or the individual who's responsible for building and selling the unit has a responsibility to say, "This is what you're going to get," or "This is what you're paying for," and then that's what you actually get.

What's particularly important is, when you get a condominium, you're sacrificing in terms of size. It's smaller than a house would be. But what you make up for in terms of that loss in size is that often condominiums have a number of great amenities, and that's often the big selling point. When you purchase a condominium, often a lot of the owners and the people who purchase condominiums look to what amenities this building will have. Though they might get a smaller space, that condominium might have a party room. So they make up for having a smaller space in their actual living space by having a place where they can actually have friends come over. It might be a patio, it might be something outdoors. That provides them with an alternative to not having a large space.

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Often another selling point is that they might have a good gym in the condominium. They realize that although they are giving up something in size and they might have a condo fee that they have to pay, because they have access to a gym, it might be a bit of a savings. They don't have to pay for a gym membership; and in addition to that, have an amenity like a pool.

These are things that are told to the consumer: "If you purchase this unit, you are going to get a unit, it's going to look like this, and it's also going to have all of these amenities"—a lovely lobby, perhaps a wonderful pool and a great gym facility.

The protections that exist in this bill and the protections that now exist provide for very strict guidelines around the unit. The unit itself has to be exactly what, or very close to what, the developer or the person selling the unit says that it's going to be. That's good protection. But when it comes to the common elements, there is very



little regulation around that. You could hope and bank on getting a unit that has a big party room, that has a lovely gym and a pool, but at the end of the day you don't get any of that—or you get a smaller pool, maybe no pool, a really minor gym space when you're expecting a place that could replace your actual gym. When you don't get that, that is a big setback to the consumer; and there is a lack of consumer protection on that front.

That's an important area because that's something that condominium owners are banking on or hoping for, and they rely on that. When they don't see that protection, that's a hole, that's a mistake on the part of the government to not provide that protection.

In addition, one of the major areas of concern—I know one of my colleagues, the member from Welland, has experienced this as well. One of the major concerns that comes up when you purchase a new unit is the warranty.

I want to contrast. In this bill, the government has set up a condominium authority. The condominium authority is going to be run based on a levy of \$1 per unit per building. So there is a levy that's going to be mandated, and that's going to create a fund that is going to provide the resources for the condo authority to work, to run.

They did the right thing in this case, because when they asked for that levy, they realized those are public funds that are going into this condo authority, so the condo authority is subject to Auditor General oversight—which is the right thing to do. It makes sense. If you're requiring the community or the consumer to pay into this condo authority, it makes sense that that condo authority also has some oversight. The Auditor General can look into the books of this condo authority to make sure we're getting the best value for money, to make sure there's some transparency and accountability. That's the right thing to do.

The scope of the condo authority and its mandate is somewhat limited in what they are actually going to be able to do, but there is that accountability mechanism, so keep that in mind. The scope and the mandate for this authority are somewhat diminished to. It's going to be provide education and training, to provide some guidance in terms of how condo managers and condo boards should operate, but they have the accountability, the high standard of accountability, of the Auditor General.

Tarion is the only home warranty program that exists in Ontario. It is mandated; when you purchase a new home, you have to purchase a Tarion warranty. There is only one company; it's Tarion. It's been mandated by law by the Ontario government. But Tarion, which oversees billions of dollars in terms of all the homes that are built and providing warranties for them, is not subject to the Auditor General.

That is a serious concern. When you have something like the condo authority which, in terms of the amount of money coming into it and its actual scope and mandate, is far smaller than what Tarion is doing—the condo authority is subject to mandatory Auditor General over-

sight, but Tarion is not. That's truly troubling and that is going to be my next topic, where I really want to focus in on.

If the government doesn't take this opportunity to reform Tarion, they are failing to do their duty to really protect condominium owners and, in fact, all new homeowners, whether it's a condo, a townhouse or a house, a freehold home.

Tarion should be a source of security, of peace of mind, for a homeowner. You should be able to have that piece of mind, that "I have a warranty program. If there's any problem with my home, if there's anything shoddy, if anything has been poorly made, if there's any problem, then I can rely on this warranty program. I can go to that program, I can make a claim and I will get coverage."

Often, for most people, a condominium or a home is one of the largest investments you make, one of the largest purchases you make. Often people look at their home as an investment, so to have protection on that very crucial investment—probably the most expensive, most valuable asset in most people's lives—it would make sense to have strong protection, a strong warranty.

Well, the reality is that Tarion systematically and systematically denies claims. There has been such a great outpouring of complaints around the Tarion claims process and Tarion in general, and the government has not done anything to address that. This is clearly a great opportunity, if you're reforming the condominium landscape in terms of the law, to address this issue as well; the government has failed to do so.

Some of the issues that could easily be dealt with: I proposed a bill, Bill 60, which again built on the heritage and the great work of Rosario Marchese. One of the key elements of this bill would require looking at some of the accountability and transparency around Tarion.

One of the biggest concerns that I and a number of people have—Rosario had this as well. If you look at Tarion, Tarion's purpose is to provide accountability, or to provide protection for the consumer when it comes to home builders and developers. Now, you would think that the board would have that principle in mind, would have that purpose in mind: that Tarion exists to protect the consumer, that Tarion exists to make sure that the consumer can have some peace of mind that they've bought this most expensive, most valuable asset in their life and they'll have some protection.

The first bylaw of Tarion clearly indicates, clearly states that half of the board members must be appointed by the Ontario Home Builders' Association. Now, you've got to take that in for a second. The Ontario Home Builders' Association is a great organization. They do great work, but they're a construction lobbyist, essentially. So, to fully appreciate the situation: You have a warranty program which is supposed to protect the consumer who has bought a home from a home builder, and in the organization that provides them with the warranty, half of the board members are made up of the home builders. So how would there be any accountability?

If I'm a consumer and I want to challenge what Taronion is doing or I want to challenge what the home builders are doing and say, "Listen, I want protection. I want a claim. I want to be reimbursed for this loss or this lack of appropriate building materials or the way and manner in which it's built, and I want to bring a claim," but the board members who are controlling this warranty program are all home builders, are all part of the construction side of the equation, that inherently seems to be unfair.

It would make far more sense if the board of Taronion was made up of consumers or, if nothing else, just independent people who have nothing to do with—or maybe experts in the field who aren't affiliated with either homeowners or with the construction side. That might be completely independent.

I would say that what would be better is that if we want Taronion to clearly be a protection agency for the homeowner, it should be protection for the consumer. So I think, if anything, it should be biased in favour of the consumer, and there should be some clear requirements that the majority of the board is made up of people who have that interest in mind, if that's its purpose.

It makes absolutely no sense that Taronion is controlled by the industry that it's supposed to regulate. Think about that for a second. How can you give the control of a warranty program to the industry that it's supposed to regulate? It just doesn't make sense. That would be a very easy reform, a very clear reform, something that the government could have implemented in this act, and they simply did not.

But let's talk about some of the good points and some of the things that we can build on. In terms of the positive points, one of the major concerns that people have when it comes to issues around condominiums is that the remedy that most people had up until this point in time was to go to the courts. Court remedies are very difficult. They're very costly. It's very time-consuming and it's difficult to navigate. So implementing tribunals is a great solution to that.

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The fact that the government has now introduced a tribunal which would address complaints that come up—there have been a number of examples of this. Various news agencies have covered issues where the condominium board refused to be transparent, refused to be accountable or refused to disclose what was going on, didn't provide reasons for why the condominium maintenance fees were going up and didn't provide a full, detailed explanation of what the repairs were, how much they cost, who won the bid or what was the bidding process. A lot of the issues around the maintenance of the condominiums are not transparent whatsoever.

Having a tribunal that addresses any concerns that the condominium owner might have with the condominium board makes a lot of sense. But the problem with the way in which this is structured is that a lot of the actual substance of the tribunal is left to regulation. The problem with that is, it doesn't give us, as the opposition

or as legislators or lawmakers in general, the opportunity to really provide scrutiny on the tribunal and how it's going to function. If most of its function is left to regulation to determine how it will work, the mechanism by which it will work, then how can we as the opposition do our job to ensure that it is actually a strong piece of legislation and eventually a strong tribunal?

This is, I guess, a broader question about regulations versus putting things into legislation. I do understand and acknowledge that there are times when regulations provide flexibility and provide the government and legislators with the flexibility to address situations without requiring a piece of legislation to come back before the House in terms of a vote and having a new law passed or a law amended. But at the same time, when you overly rely on regulation, it doesn't actually provide clarity in terms of what the law is that we are seeking to pass in this House, and it doesn't allow for a very robust opposition or input from the opposition in terms of how a bill should be crafted. That's an issue with this bill. The tribunal is a great idea, but without knowing the regulations and the details around that, we're unable to really say if this tribunal will be effective or not. That's one of the problems that comes up with this bill.

When we look at the way this law was crafted or the process by which the government got to this point, one of the major concerns that comes up is that when you craft a law, in terms of the people you consult, to me it makes sense that you want to consult with, or you want a panel to be made up of—at least a completely balanced panel. Or, if there is a bias, the bias should be in favour of the person, persons or group that needs to be protected.

In this case, the bill is entitled Protecting Condominium Owners. The purpose of the bill is to protect the condominium owner. That's very clear in terms of the title. But if you look at the expert panel that was struck and the panel that was responsible for coming up with many of the recommendations that the government worked on or implemented into this bill, that expert panel was comprised predominantly of members of either the construction industry and two main groups that I can point to: There was the CCI and the ACO.

Now, while it makes sense to obtain information and insight from those who are experts in the field, if the purpose of this bill is to provide protection for the consumer, then you would expect that the consumer—at least homeowners, condominium owners, condominium-owning associations, tenants or organizations that are made up of a membership which are people who own a condominium—would have a greater voice. When we look at the panel, there were consultants and lawyers that were connected—I'm a lawyer so I have no problem with lawyers being there, but the vast majority of them were connected with both construction-related organizations, CCI and ACO. There was only one member on the entire expert panel that one could say represented the condo owners, a very able and skillful panel member, Anne-Marie Ambert, who manages the Condo Information Centre. But that was one member. On an expert



panel for a law which is entitled Protecting Condominium Owners Act, there was only one person representing a condominium owner on the entire panel. The rest of the panel was made up of people who were, if anything, associated with the construction side. So how can this panel really speak to the interests of the consumer, the interests of the actual condominium owner, when the vast majority of the panel was made up of people who weren't, as their main focus, their primary focus, concerned about the condominium owner and instead were associated with the construction side?

Again, having a balanced panel makes sense, having members from each of the related stakeholders or each of the related parties, but to have it so biased in one direction seems to me not to make a lot of sense if the bill was entitled "Protecting Condominium Owners." If the bill was instead how to protect the construction industry, or the home builders' association, that's different and then I wouldn't really be able to raise this concern. But if that's the purpose of your bill, then it doesn't really make a lot of sense.

But that being said, there are a significant number of improvements that are proposed by this bill. There are going to be some significant improvements if this bill is passed.

Just talking about the condo authority, the condo authority will be set up under this bill, and it will be a delegated administrative authority bound by the governance and accountability provisions in an administrative agreement with the crown and subject to oversight of the Auditor General. Like I said, that's an excellent step; it's a positive step.

The main purpose of the condominium authority will be to provide training, education and advice to condo owners and boards. This will definitely increase the playing field somewhat. When condo owners and boards have appropriate training and education, they will be able to be more effective in their job. Whether it's a condominium board that's able to more appropriately manage the condominium itself—in some cases, it's a tremendously difficult job. You have a number of units. There are various issues that come up in terms of maintenance and in terms of repairs, so having that training will be essential. That's a great step.

The other issue is giving the advice to condo owners. Now, an educated and informed owner will be able to navigate the system better; will know what their rights are; will know what they're entitled to; will be able to assess if a maintenance fee increase or a condominium fee increase is appropriate or inappropriate; and will know what questions to ask of the board, to be able to get to the bottom of it. A more informed and more educated condominium owner will be able to ensure that they have more protection and they are more protected.

The tribunal component: One of the things that's quite a positive sign is that the tribunal will have the same damage limit as the Small Claims Court, which has been recently augmented to \$25,000. That provides at least a meaningful recourse. If there is an issue with your

condominium and you do want to challenge it through the tribunal, the tribunal will be able to impose damages up to \$25,000, so it gives the tribunal some teeth.

But I want to focus on this point: It's important to know, like I said earlier, that the tribunal will not hear disputes involving developers and condo managers. These still must be resolved in court. Like I said before, it's disputes with the developer and the condo managers which are often deemed the major or the majority of the complaints. If those major complaints and the majority of complaints aren't actually going to be addressed by the tribunal, it raises the question of why they would not include it. If you want to have an effective tribunal, why wouldn't you include these other parties and, at the minimum, still impose the \$25,000 limit? If there is a matter that's greater than \$25,000, perhaps it requires the greater scrutiny of a court. But at least allow for matters up to \$25,000 in terms of damages; at least allow those to be included in this tribunal. That would be an easy amendment, and it would significantly improve protection for condo owners.

Just on that condominium authority, finally, I really want to highlight that if you look at its authority and what it's going to do, it's going to be a tribunal. The condominium authority will also provide training and education and advice.

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Now, if you compare those three components—and the tribunal has a limit of \$25,000, and the levy of one dollar per unit per building—to what Taronion does, the amount of money that Taronion charges, the amount of resources that Taronion is responsible for and how important in terms of the claims that you can bring forward to Taronion, they are quite different.

If I can put it this way, one has a significantly larger source of resources in terms of how much money you put out, and more impact in terms of your life if you have a claim you want to bring forth to Taronion. But something that's bigger and has more access to funds is not subject to the Auditor General, while something that is smaller, that has less of a scope, less of a mandate, is subject to the Auditor General. To me, it makes sense for both of them to be covered by the Auditor General. This would be another very important, very simple amendment to this bill. If they would include an amendment to Taronion to require Taronion to also be subject to the Auditor General, it would be a tremendous step forward.

One of the things that I think is, again, something very important—and this is something about which people find a lot of confusion. There's definitely a lack of clarity around this issue. A provision in this act will allow for clear, more comprehensive rules to prevent owners from being surprised by unexpected costs and maintenance fee increases after buying a newly built condo.

This is one of the scenarios that happens: People want to get you through the door; they want you to sign up very quickly, get into that condo, and there isn't a full and clear disclosure about what the cost may be. Once you get into the condo and a year goes by, all of a

sudden, you are hit with a significant increase. You've been told that the condo fees would only be \$300 or \$400 a month, which is still quite expensive, but then all of a sudden, they balloon up to \$1,000 a month. That's something that you don't account for when you budget. A consumer is looking at, "What does this condominium cost? What are my mortgage payments going to be? What's my tax exposure? How much am I going to have to pay per year on tax? What are my condo fees? And if they don't include utilities, what are my utilities?"

People budget for what they know. If all of a sudden, they see not a 100% increase but a 200%, maybe even a 300% increase, that is completely unacceptable. People aren't going to be able to budget for that. It will throw them completely off. They probably wouldn't have made that decision in the first place. Maybe they would have purchased another unit; maybe they would have held off on purchasing a unit. But the fact that there wasn't that disclosure up front, the fact that there weren't clear guidelines and rules around what the unexpected costs may be, what the maintenance fees may be and how they may increase, that's something that's doing a disservice to the consumer.

To provide strong consumer protection, the condominium owner should know very clearly that this is what the fees are now, this is what they may increase to, and have a timeline and a guideline of approximately how much they can increase and when. In that way, they can make an informed decision. If the consumer still wants to go ahead and purchase that unit, then they're able to.

This is an area of concern that's come up a number of times: unethical sales practices. The bill will prohibit some of those practices. One of them, which we've talked about very briefly, is promising one thing and delivering another thing, and providing clear guidelines around what is promised and what should be delivered.

Like I said, there are clear rules around the unit itself. If you're promised something in the unit, there are pretty tight rules around the unit being exactly what you were promised. But those same rules don't apply to the actual common elements. Like I said, in a condominium it's the common elements which are often some of the biggest selling points. There needs to be a very clear guideline around what is promised and what is delivered, that there can't be significant variances to what's initially promised, even if it's a common element. Those common elements are often just as important as the unit itself. I think that's an important area that needs to be bolstered. Right now, the law only prohibits and prevents some of the unethical practices but not all, and it could be broader to cover more of those.

There is a positive amendment which seeks to amend the Ontario New Home Warranties Plan Act, and to extend Taron warranty coverage to include condo conversions, as per regulations. We heard some of the previous members speak about condo conversions, and it's good to see that the new home warranty plan and the Taron coverage will extend to those conversions, but again, if Taron is not reformed and made stronger, some of that protection is not really that meaningful.

We need to make sure that if we want to extend that same new home warranty program and Taron coverage, Taron is also strengthened and we don't see the current situation where people are relying on Taron, they think that they have this protection, and when they make the claim, they are faced with an army of lawyers on one hand who are fighting tooth and nail to deny the claim, and on the other hand, you have the homeowner who is strapped and overextended in terms of their costs and expenses, and doesn't have the time and the ability to actually navigate the legal system in order to put forward or advance their claim. That's why we need to really look at reforming Taron to make this meaningful.

The next piece here is that condo boards will be required to file annual returns with the condo registrar. Now, this is something that seems to me to make a lot of sense. When you have a condominium board, they're dealing with sometimes a great deal of money, if you look at the amount of condo fees collected by each unit. Their operating costs are quite significant, but there have been a number of news stories released where condominiums have kept a big surplus, or there's a lack of clarity about what's happening with the money that's being collected. When there are no overt repairs and no overt maintenance being done but there's an increase in maintenance fees requested, people are left wondering where that is coming from, where the money is going, why the money is being spent. Requiring condominium boards to file annual returns will really satisfy a lot of the concerns that are raised. It seems to be something that should have been done before, and I'm glad to see that it's included in this part of the bill.

Again, these issues were raised by one of the condominium owners' advocates, Anne-Marie Ambert. She raised a number of areas that are still missing. Though there's the requirement to have an annual return filed, there are certain areas that are not included in that return and need to be addressed. There are inadequate checks on unexplained large surpluses and inadequate owner control over large expenditures. Whereas the condominium board will put forward these returns, there isn't a check and balance in place on explaining why there is such a large surplus and where that came from.

More importantly, if there are large expenditures, the owners of the condominiums themselves have to have input in terms of how that is done. If there are minor things like snow removal, it makes sense that the condominium board can have the flexibility to do those on their own. But when it comes to things like the serious overhauling of maybe the facade of the building or serious changes to the lobby that are going to significantly impact the condominium owner and also be a significant cost, then in those circumstances the condominium owner should have a more active role in determining where those expenditures are made and how they're made, and decisions around that.

In that same vein, in terms of those large expenditures, there needs to be more transparency for contract procurement, including knowing the names of bidders in



order to discourage bid-rigging. Again, when it comes to these condominiums, often they're dealing with a large amount of money. When it comes to providing bids, those bids should be done in a very transparent manner, and the owners should have a lot of access to that, to address that.

*Interjection.*

**Mr. Jagmeet Singh:** I always appreciate the subtleness of Mr. Speaker in providing me with a heads-up, and I appreciate that in this circumstance as well. I

would, with your leave, Mr. Speaker, ask that I may conclude my remarks at a later date.

**The Acting Speaker (Mr. Rick Nicholls):** I thank the member from Bramalea–Gore–Malton. You will have additional time at a more appropriate time.

*Second reading debate deemed adjourned.*

**The Acting Speaker (Mr. Rick Nicholls):** Since it is now 6 o'clock, this Legislature stands adjourned until 9 o'clock tomorrow morning.

*The House adjourned at 1759.*

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Hoggarth, Ann (LIB)	Barrie	
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Mantha, Michael (NDP)	Algoma–Manitoulin	
Martins, Cristina (LIB)	Davenport	
Martow, Gila (PC)	Thornhill	
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McGarry, Kathryn (LIB)	Cambridge	
McMahon, Eleanor (LIB)	Burlington	
<b>McMeekin, Hon. / L'hon. Ted (LIB)</b>	Ancaster–Dundas–Flamborough– Westdale	Minister of Municipal Affairs and Housing / Ministre des Affaires municipales et du Logement
McNaughton, Monte (PC)	Lambton–Kent–Middlesex	
<b>Meilleur, Hon. / L'hon. Madeleine (LIB)</b>	Ottawa–Vanier	Attorney General / Procureur général Minister Responsible for Francophone Affairs / Ministre déléguée aux Affaires francophones
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Singh, Jagmeet (NDP)	Bramalea–Gore–Malton	Deputy Leader, Recognized Party / Chef adjoint du gouvernement
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Takhar, Harinder S. (LIB)	Mississauga–Erindale	
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Vernile, Daiene (LIB)	Kitchener Centre / Kitchener-Centre	
Walker, Bill (PC)	Bruce–Grey–Owen Sound	
Wilson, Jim (PC)	Simcoe–Grey	Opposition House Leader / Leader parlementaire de l'opposition officielle
Wong, Soo (LIB)	Scarborough–Agincourt	
Wynne, Hon. / L'hon. Kathleen O. (LIB)	Don Valley West / Don Valley-Ouest	Minister of Intergovernmental Affairs / Ministre des Affaires intergouvernementales
Yakabuski, John (PC)	Renfrew–Nipissing–Pembroke	Premier / Première ministre
Yurek, Jeff (PC)	Elgin–Middlesex–London	Leader, Liberal Party of Ontario / Chef du Parti libéral de l'Ontario
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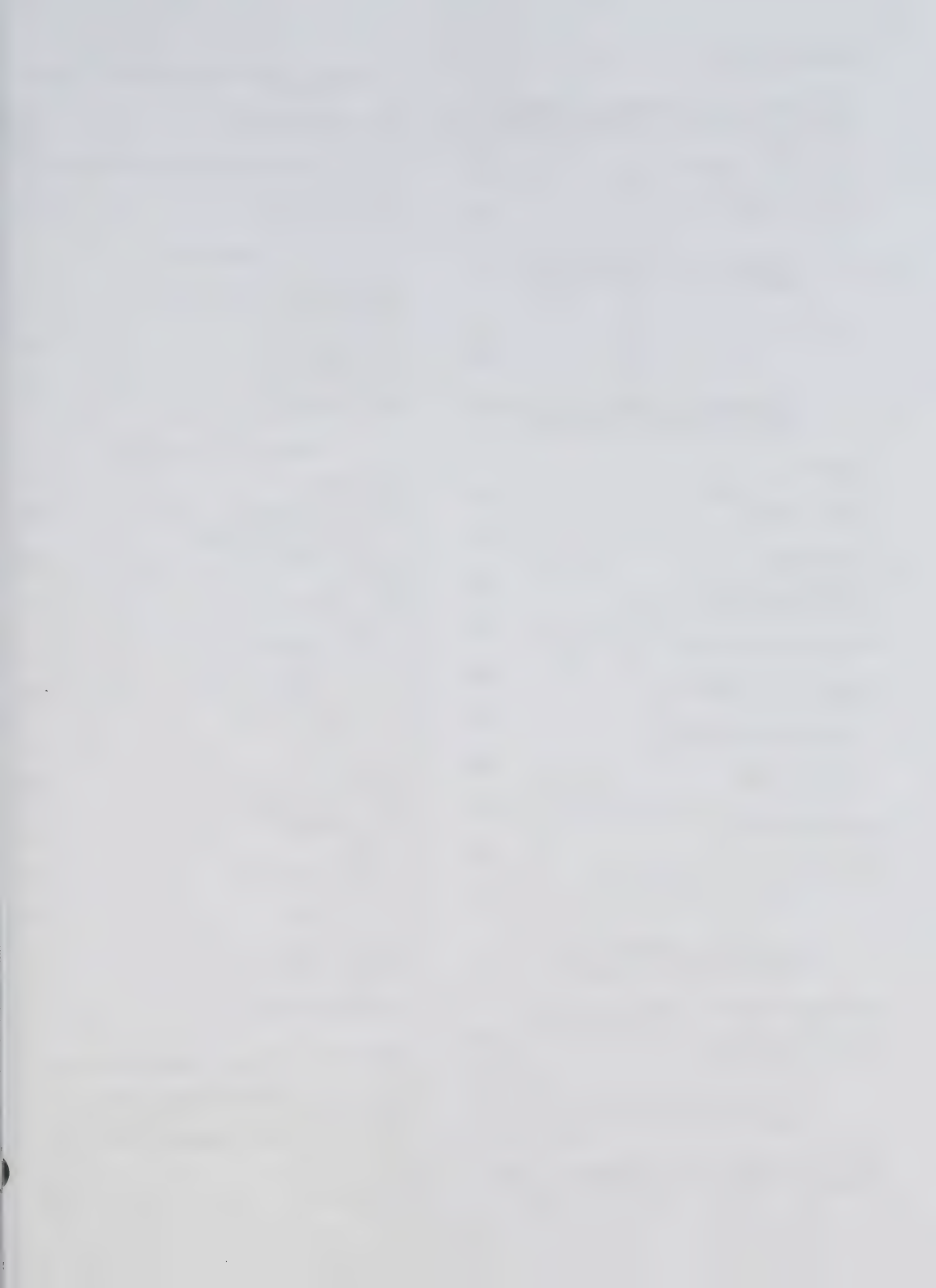
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## Legislative Assembly of Ontario

First Session, 41<sup>st</sup> Parliament

## Assemblée législative de l'Ontario

Première session, 41<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Wednesday 16 September 2015

Mercredi 16 septembre 2015



Speaker  
Honourable Dave Levac

Président  
L'honorable Dave Levac

Clerk  
Deborah Deller

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 16 September 2015

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 16 septembre 2015

*The House met at 0900.*

**The Speaker (Hon. Dave Levac):** Good morning. Please join me in prayer.  
*Prayers.*

## ORDERS OF THE DAY

### SMART GROWTH FOR OUR COMMUNITIES ACT, 2015

### LOI DE 2015 POUR UNE CROISSANCE INTELLIGENTE DE NOS COLLECTIVITÉS

Resuming the debate adjourned on September 14, 2015, on the motion for second reading of the following bill:

Bill 73, An Act to amend the Development Charges Act, 1997 and the Planning Act/ Projet de loi 73, Loi modifiant la Loi de 1997 sur les redevances d'aménagement et la Loi sur l'aménagement du territoire.

**The Speaker (Hon. Dave Levac):** We are not prepared for questions and comments, so I'll now move to further debate.

Further debate?

**Mr. Rick Nicholls:** It's my pleasure to rise today and to add to the debate of Bill 73, Smart Growth for Our Communities Act. Just before I begin though, Speaker, I want to take a moment to say that it's great to see all my colleagues here in the Legislature and, once again, welcome to the member for Simcoe North.

Over the summer, MPPs are able to return home to meet with their constituents and to hear their concerns on a wide variety of provincial issues. One of the many things that many members heard at home that was echoed at the recent Association of Municipalities of Ontario, AMO, conference was the need for provincial government to listen to stakeholders and municipalities. More than just listening, they need a government that is willing to be a real partner. Far too many groups have offered the government input only to see them change course with a snap decision unilaterally.

I hope the government is willing to listen when it comes to Bill 73. While I cannot speak for the government or third party, I can say that the PC caucus is here and ready to listen. We're ready to work for you, and we want to work alongside municipalities to ensure that they are set on the right track.

Last week I had the pleasure of addressing the Chatham-Kent Home Builders Association. More importantly,

I was able to hear their concerns regarding a number of issues, one of which was Bill 73. Their chief concern was red tape, which is hurting their industry and making it harder for them to expand operations and create more jobs, but they did have concerns with this bill. Their main concern with the bill was the potential for development costs to be raised with negative effects for Ontarians seeking housing.

In a press release, the Ontario Home Builders' Association made their concerns very clear. I'm going to quote from a portion of that press release: "The Ontario Home Builders' Association (OHBA) is concerned that new transit taxes on development will disproportionately increase housing costs for residents and the cost of setting up new businesses."

Our critic the member for Oxford has been carefully considering the benefits and unintended consequences of this bill and has been actively engaging with municipalities and stakeholders. We, alongside the Association of Municipalities of Ontario, AMO, were surprised that the government moved ahead with this bill before conducting any consultations on some of the key areas that the bill deals with.

We understand why municipalities are looking to develop development charges to pay for additional infrastructure. They're looking for any additional funding they can get after years of cuts and a downloading of services by the Liberal government.

I would like to take a moment to highlight one key planning issue that is of massive concern in my riding.

### *Interjections.*

**The Acting Speaker (Mr. Paul Miller):** I'm glad to see we're feisty in the morning. That's good. A little bit of downtime would be nice here. Thank you. We're going to jump on you bright and early, okay? New deal around here now. Thanks.

**Mr. Rick Nicholls:** Thank you, Speaker. You know, the government is like a toothache: When you hit a nerve, they go, "Ouch."

The municipality of Chatham-Kent alone, in my riding, has over 4,000 municipal drains with a total length of 4,800 kilometres. The municipality performs approximately 550 drainage projects annually. Most of these projects are related to ongoing maintenance, and the rest are capital projects.

Chatham-Kent is incredibly concerned over new changes brought in by this government that will see further demands placed on municipalities across the province. In the words of the municipalities, with Chatham-Kent already completing in excess of 550 drainage

projects each year, it will be impossible for them to comply with the new self-monitoring and reporting process.

They estimate they would need to hire two full-time experts at a cost of roughly \$250,000 just to manage the new reporting and application requirements that were previously handled by the province. One of the things I don't want to see is members of the administration of the municipality of Chatham-Kent go to jail, and that's what is being implied through some of this legislation. Given that Chatham-Kent is trying to rein in its own deficit, it's unrealistic to expect the department to be able to afford to hire these experts while also keeping up with the sheer volume of annual drainage projects required to keep them operational.

Local officials were able to meet in my office here at Queen's Park with policy advisers from the government, who, to their credit, were receptive to the municipality's concerns with the unintended consequences of the upcoming changes. If this issue is not addressed, it will seriously jeopardize the future growth of Chatham-Kent.

Mr. Speaker, one of the things I don't want to see as an unintended consequence of this legislation is an increase in the cost of housing in the province. There are currently 168,000 families on the wait-list for affordable housing. We must do all we can, as legislators, to ensure that this number falls. If balance in this bill is not achieved, then, unfortunately, the opposite just may happen. Increased development costs are inevitably passed along to homeowners, condo buyers and renters alike.

A couple of years ago, Ipsos Reid conducted a survey on behalf of the Ontario Real Estate Association. In that study, 94% of Ontarians said that owning a home provides a healthy and stable environment for raising a family. It's clear that many Ontarians dream of one day purchasing a home. In fact, nine out of 10 Ontarians say that owning a home is part of the Canadian dream. We don't want to see them have that dream crushed by rising costs extended to Ontarians.

As I conclude my remarks, I just want to stress the importance of balance when it comes to the Smart Growth for Our Communities Act. It's about ensuring that individual communities and businesses have input into the future of their communities. It's about addressing concerns while ensuring that good projects can move forward. Currently, we're seeing the exact opposite under this Liberal government.

0910

Ontario has just under 2,550 acres of vegetable greenhouses, with more than 2,000 of those in the Leamington and Kingsville area. My riding of Chatham-Kent-Essex, and the region as a whole, depends on the greenhouse industry and the good-paying jobs that it provides, with spill-over benefits to the entire community.

The industry is ready to grow, but the government is not ready to let it grow. They simply cannot expand without access to more electricity. They also need new transmission lines so that they can sell the power they generate to the grid, and additionally, better hydro service

would allow greenhouses to add light for the winter months so that they can grow a year-round crop.

Based on a 5% growth estimate, which is very conservative, the industry could expect another 660 acres of new greenhouses in the next five years, boosting greenhouse vegetable sales by \$205 million.

The government's delays on a crucial hydro transmission project are costing Leamington jobs and investment. Leamington mayor John Paterson was very clear when asked about the potential for growth and the danger of inaction by the provincial government. I'm going to state him verbatim: "We've said to the Minister of Energy, we've said to the Ontario Power Authority, we've said to everyone who will listen to us, if you don't do this, Leamington and Kingsville are stymied. We can't grow. We don't have the hydro capabilities here."

Our community has already paid heavily for this government's failure. The community and businesses are screaming for help from the government, but their pleas have gone unnoticed. Don't ask the government; ask them. Nature Fresh Farms announced earlier in the year that it would be bringing a \$200-million expansion and 300 jobs to Ohio instead of Ontario. The company cited massive hydro prices and the transmission project's delays as the reason Leamington did not receive those needed investments.

Mr. Speaker, I am certain that there are other MPPs in the Legislature that would agree with me when I say that Leamington and the Essex county area desperately need jobs. We cannot afford to let good-paying jobs and expansion in Leamington slip away because of dithering by the government. This government is preaching smart growth, but when a golden opportunity to grow hits them square in the face, they don't know what to do. That's not smart at all.

Mr. Speaker, thank you very much for the opportunity to address you this morning in this hallowed place, the Legislature.

**The Acting Speaker (Mr. Paul Miller):** Questions and comments?

**Mr. Peter Tabuns:** I appreciate the comments made by the member from Chatham-Kent-Essex. Speaker, as you're well aware, there are many things that are missing in this piece of legislation that the NDP has noted as we've gone through it. We see that the government has been consulting on this for about a year and a half, but really, do we have a bill that addresses the questions of sprawl? Does it address the questions of the OMB essentially negating democratic decisions at the city council level? No, in fact, Speaker, we don't have that.

The OMB is something that this government has promised to reform for over 12 years. In fact, this bill doesn't provide the reform that people across Ontario have been expecting and people across Ontario need. It doesn't sufficiently protect municipalities from needless appeals to the OMB. In my own riding, Speaker, there are projects that have come forward where the developers have effectively ignored the city of Toronto, ignored the planners, ignored the local politicians and the local community, and gone straight to the OMB.



Speaker, that undermining of the ability of cities to plan rationally and have everything set up at the OMB is a huge failing of this government's approach to cities and city planning. We need to encourage sustainable, transit-friendly land use planning. The province needs to support regions like Waterloo that plan for smart growth. Instead, the province has allowed developers to use the OMB to overrule municipalities and the province's own Places to Grow Act in order to pave over farmland and build more sprawl. If the government is serious about cities that work and taking on climate change, this bill is inadequate.

**The Acting Speaker (Mr. Paul Miller):** Questions and comments?

**Hon. James J. Bradley:** The first thing I would say is that I was absolutely astounded that the member talked about downloading as though it was something that has just happened. We all know that the golden era of downloading costs to municipalities—the platinum era—was when the Harris government was in power. They said, “We have a deficit problem, and we have a solution for it: We will simply download on the municipalities the costs that the provincial government used to have, and then we will say we have solved the problem.” I can well recall those days when municipalities had a legitimate beef with the provincial government. The Progressive Conservative, as it's called here—even though it's Conservative—government in Ontario downloaded. Even Conservative politicians at the local level were astounded by this.

This government, the Liberal government, did exactly the opposite. It has been uploading financial responsibility, taking that onerous responsibility from the municipalities and placing it where it belongs, at the provincial level, at the cost of some \$2 billion. Even when the provincial government was facing major economic challenges, we did not make a decision to say, “Well, we have a solution for that. We'll discontinue the uploading process.” No. Even through the most difficult times, we have continued to upload those responsibilities.

I know that the member didn't have an opportunity to clarify that the downloading took place under the Conservative government and the uploading of responsibilities has happened under a Liberal government.

**The Acting Speaker (Mr. Paul Miller):** Questions and comments?

**Mr. Victor Fedeli:** Thank you very much, Speaker, for the opportunity to rise. I served as mayor of the city of North Bay for two terms under this government, and I recall very, very well the Ontario Municipal Partnership Fund: the changes that were made in that, when my community was stuck with several million dollars in new uploads. I know that our new mayor, who has been there since I left—over the last four or five years, almost—complains in our local newspaper every year about the additional uploading that's coming from this government. So to hear that is a bit rich.

More specific is Bill 73, the smart growth act. Speaker, we really do have distinct problems, challenges and opportunities in Ontario, and I would only hope that

some accommodation is made. When you look at southern Ontario, the GTA and southwestern Ontario, there was the Golden Horseshoe plan. Really, that plan is all about containing growth. But when you cross north of Vaughan, as many people in this Legislature haven't done yet, you're in a whole different world, especially as you come to northern Ontario, where our northern growth plan is all about igniting growth.

There really are two diametrically different plans that should be in place. I can only hope that Bill 73, the Smart Growth for Our Communities Act, really does adequately address the differences that are needed in Timmins and Kenora, and in my community of North Bay, that are so vastly different from the requirements in an urban setting like the GTA.

Thank you for the opportunity to speak to this, Speaker.

**The Acting Speaker (Mr. Paul Miller):** The member from Algoma-Manitoulin.

**Mr. Michael Mantha:** It's always a pleasure to join the debate on Bill 73, the Smart Growth for Our Communities Act, on behalf of the great people of Algoma-Manitoulin, and it's great to be back at Queen's Park once again.

It was interesting: Yesterday my colleague Mr. Rosario Marchese was here, who worked extensively for some monumental steps and worked extremely hard for some reform under the OMB. Unfortunately, this is something that is not within this act, which could have essentially brought a lot more meat within the context of this act.

The thing this does not do is that it still doesn't provide sufficient protection for municipalities that are suffering through needless appeals to the OMB. What it doesn't do is provide housing and development growth. Ontario should be moving forward and removing needless barriers so that municipalities and others can move with their projects.

**0920**

I was here earlier during a previous debate where a colleague of mine brought up a very interesting point: If you don't have the proper power supply—and my previous colleague, my friend who talked about the barriers to northern Ontario—you will not have growth. That's one of the biggest challenges that we have in northern Ontario, having that proper power supply, proper hydro supply, in order to attract investment. This is one of the greatest challenges we see in the corridor going towards Thunder Bay. I was actually up there a couple of weeks ago, and they are very challenged in regard to attracting that investment.

I look forward to hearing more discussions in regard to this act.

**The Acting Speaker (Mr. Paul Miller):** The member from Chatham-Kent-Essex has two minutes.

**Mr. Rick Nicholls:** I would of course like to thank my colleague from Toronto-Danforth; the minister without portfolio, the member from St. Catharines; the member from Nipissing; as well as the member from Algoma—

Manitoulin. I appreciate what their comments were and what they had to say.

The member from St. Catharines, the minister without portfolio, talked about uploading, talked about downloading, upload, download—that's in the past. Right now, let's talk about the present, and let's project into the future.

Right now, in my riding, I mentioned earlier, we have about 4,800 kilometres of drainage and everything else within the municipality, 550 drains. We need help. We need finances to help us. Not just us, but AMO has talked about that as well.

Now, it's unfortunate, it really is unfortunate. This government could have helped out in a big way, and they know they could have helped out in a big way. Unfortunately, there were things such as gas plant scandals. There were other instances where money could have been perhaps better utilized, which would then allow for more money to help out municipalities who are in dire need right now. My concern was the fact that you have a situation in Leamington even, where you have Nature Fresh, of course, a big greenhouse operation and 300 jobs. But why are they leaving? It's the hydro costs, and he's told us—300 jobs. They're going to Ohio, where, by the way, I believe we pay Ohio to take some of our excess hydro.

We need help, and so we're appealing, I'm appealing to this government to in fact help our community grow and develop so that we can have those jobs, we can have affordable housing, and there will be no more of this downloading.

**Mr. Victor Fedeli:** A point of order.

**The Acting Speaker (Mr. Paul Miller):** A point of order, the member from Nipissing.

**Mr. Victor Fedeli:** Point of order, Speaker: Earlier, in my two-minute hit—I want to correct my record—I used the word “uploading” when I was referring to the word “downloading.” Trust me, I do know the difference between uploading and downloading.

**The Acting Speaker (Mr. Paul Miller):** Further debate?

**Ms. Teresa J. Armstrong:** I would like to welcome everyone back to the Legislature, from all the MPPs to all the staff who make this place run efficiently and smoothly.

Speaker, over the summer months, MPPs were busy in their ridings meeting with organizations, having town halls and meeting with constituents. Many people think we are not working, but this is not the reality for all of us. The work we do when we are back in our ridings is very important. When we are not here at Queen's Park—being back in the riding allows us to engage with our constituents, attend community meetings and events, and, through discussions, we have the opportunity to develop legislation and ideas, and understand what people have to say about issues and about this government. Then, our responsibility is to bring back their voices to the Legislature and voice our constituents' concerns here with this government.

The first reading of Bill 73 was in March 2015, second reading started in April 2015, and then the House rose in

June 2015. Now we're here, the first week back—this is the actual first week back in the Legislature—and as the MPP for London—Fanshawe, I look forward to participating in the debate on Bill 73, An Act to amend the Development Charges Act, 1997 and the Planning Act, also known as the Smart Growth for Our Communities Act.

What this bill does is it includes some long-overdue improvements to the Development Charges Act and the Planning Act, but in our humble opinion, here on this side of the House, there's still much missing from this bill.

I understand the government has conducted public consultations on land use and planning development charges for a year and a half. That's quite a long time to go out throughout Ontario and consult with people to hear what they have to say. And though the act is rather thick on paper, it's thin on OMB reform that the government has been repeatedly promising for over 12 years.

For the short time that I've been here—and I think 2011 and 2014, that's still a short time—I'm not surprised by the lacklustre legislation this government brings forward. You have to ask yourself, “Can't this government make a commitment to legislation that will really make a difference, and then actually follow through on what they say?”

The consultations probably gave people a lot of hope. They probably thought, “Finally we'll have a chance to be heard and there will be legislation and reform at the OMB.” Alas, Bill 73 does not sufficiently address municipalities and the needless appeals to the OMB. What does it say to municipalities that invest in planning reviews and developing new land use policies when a developer can turn around and immediately ask for the OMB to alter the new rules? So we ask: What reasons do municipalities have to invest in such initiatives? We need to give them incentive and we need to give them legislation that will work for them.

As many other MPPs before me in this House have pointed out, this bill ignores solutions to affordable housing, and one of the solutions we think will help affordable housing in many communities throughout Ontario is inclusionary zoning. That's an NDP proposal that this government claims to support, but it's not in the bill, which is very disappointing.

My fellow MPP from Windsor—Tecumseh gave statistics about the need to fix—which is very important, because a lot of affordable housing right now in all cities throughout Ontario needs to have maintenance—and the need to build more affordable housing that will also help people who have been on waiting lists for far too long.

I don't think this is anything new, so I really want to make sure that I articulate it. People have basic needs and one of the basic needs is a house, a place to live. Right now, what we're facing is there are many people who are struggling day to day, trying to make ends meet. They're actually struggling to get by. Their rent is expensive, tuition's expensive; they don't have retirement benefits. People's hydro rates are up. Some people call my office,



and their hydro rates are half the cost of the rent they're paying. So affordable housing is essential. It's essential to survival and to a healthy community. Having affordable housing is basically having a stable place to live.

In my riding, like many other ridings, I'm sure, through the Legislature, MPPs have co-op housing and geared-to-income housing. Those are wonderful builds in our community. They need to be incorporated throughout cities, and inclusionary zoning is a great way to accomplish that.

A couple of days ago, the member from Eglinton–Lawrence was ranting and raving about, “You’ve got to give us some ideas. What are your suggestions to make these bills better? You need to help us out and make government work.” That’s a perfect suggestion: inclusionary zoning. Put it in the bill. It’s going to make a huge difference to people, to communities and to thriving cities. We know in Toronto there’s a real gap in affordable housing, so I hope the member from Eglinton–Lawrence is listening. Take it to the minister; act on that suggestion. There’s one suggestion.

0930

London, I have to say, is a wonderful place to live in. The city has been promoting growth in London in many ways, and this bill allows me the opportunity to talk about what London’s been doing. In 2012, city of London staff began a public consultation called ReThink London, which sought to gather as much public input as possible regarding how residents would like to see the city develop. It was the most extensive public consultation process for an official plan in Canadian municipal history. Consultation topics included: culture, prosperity, regional connection, green thinking, transit and neighbourhoods. It was a groundbreaking initiative to preemptively and actively engage the residents of London in owning the future of our city.

The results of ReThink London were incorporated into the London plan and our city’s 20-year official plan that contains significant progress and changes into infrastructure, including improved standard transit as well as new rapid transit, development of the Thames River shoreline, and infill in the core and suburbs to prevent further sprawl. The plan focuses on transit overhauling and infill, two initiatives that are directly impacted by land use planning and development charges, which this act doesn’t address. So there are some issues with the Development Charges Act amendments that directly affect our city’s official plan and development progress.

Area rating policies currently allow municipal councils to determine if and where specific areas of the city should be subject to different development charges. We have some concerns that the rigid language in the revised act might inhibit councils from exercising discretion over area ratings.

One of the reasons the city of London waived development charges for the downtown core and Old East Village areas was to promote growth and development, a decision that has produced demonstrably positive results, attracting companies and small businesses to the city’s

rapidly reviving core. An example of revitalization that was recently in the paper was the old Mark’s Work Warehouse building located on Dundas Street in Old East Village, which is now going to be transformed into a grocery store with a training component.

Speaker, there are also concerns about appeals of the development charge bylaws to the OMB only resulting in maintenance of, or decreases to, the council approval rate. A suggestion London city staff has expressed is that the board members should also be able to increase the development charges rate if it is deemed appropriate. That’s another suggestion the government can take into account.

As it stands, the development charges do not allow for municipalities to recover growth-related capital costs from the building of certain municipal services. These costs instead are absorbed by the taxpayers. If these ineligible services are removed from the Development Charges Act, it would provide municipal councils with the authority to determine what municipal services should be subject to cost recovery. There are similar concerns about city taxpayers bearing the load for development of soft services that are currently subject to a mandatory 10% deduction for capital needs recovery.

Homebuyers pay a lot of money in development charges and parkland dedication fees when they buy a home. They deserve to know how and where their money is collected and spent. We hope the promised transparency in the act will truly deliver.

While this bill is a step in the right direction, my party is certainly eager to see improvements. The legislation is not what the government promised Ontarians. These kinds of half measures only pay lip service to the real issues, or the affordable housing crisis the New Democrats will call to the government’s attention. Our communities need assistance and we must do more. We have an obligation to help them.

**The Acting Speaker (Mr. Paul Miller):** Questions and comments?

**Hon. Michael Coteau:** It gives me great pleasure to speak on Bill 73. I want to start by saying it’s time for this Legislature to move on and to get this past second reading so we can get out to the committee process and have people come in to talk and consult on this good piece of legislation.

Mr. Speaker, so far we’ve had over eight hours of debate here in this Legislature, and we’ve had over 40 people speak on this proposed piece of legislation. I’m starting to get the impression that the opposition is deliberately delaying this process. We want to get out there and talk to people. We want people to be able to—

**Mr. John Yakabuski:** A point of order.

**The Acting Speaker (Mr. Paul Miller):** Point of order, the member from Renfrew–Nipissing–Pembroke.

**Mr. John Yakabuski:** As the minister well knows, it is not in keeping with the standing orders of this House to question the motives of members of this assembly. I’m offended by the accusation that we are deliberately doing something to hold up the government.

**The Acting Speaker (Mr. Paul Miller):** We will take your comments under consideration and we'll just ask the minister to temper his attack. Thank you.

**Hon. Michael Coteau:** Mr. Speaker, we've gone out there as a government and spoken to Ontarians. There have been over 1,200 submissions that have come in. We also know that there have been 20 public workshops that have taken place since October 2013. We've had mail-in and email submissions come in.

It's time for us to move forward on this piece of legislation because we've got other work to do in this House. We've got Bill 85, the good government act; we've got the bill that I proposed, the Supporting Ontario's Trails Act; Bill 106, Protecting Condominium Owners Act. There's a lot of work we need to be doing in this Legislature, and again, I'm starting to get the idea that there may be some intention to delay this piece of legislation.

**The Acting Speaker (Mr. Paul Miller):** Questions and comments?

**Mr. John Yakubuski:** Speaker, I am astounded—astounded—that a minister of the crown would come in and make those comments here in this House.

Bill 73 is a very important piece of legislation to our members. We all interact with municipal leaders in our communities. In fact, I am the MPP to 18 municipalities. I have not had the opportunity to speak to this bill, and I don't count what we call two minutes of questions and responses an opportunity to speak to this bill. I am looking forward to that opportunity. Yet, at every turn it seems that the government is only interested in shutting down debate. This is the government that is now known as the government of stifling debate and calling closure motions, when they spoke against them in their previous iteration when they were in the opposition.

Now, I'm not questioning their motives. They've got an agenda; we understand that. But they need to respect that every member of this Legislature is sent here to represent their constituents. We need to have the opportunity to stand up in this chamber and reflect the views that have been passed on to us. The minister loves to talk about these workshops. Those are shams and he knows it. They are staged little episodes to try to make the government look like they're actually doing consultations. We know on every piece of legislation—

*Interjections.*

**The Acting Speaker (Mr. Paul Miller):** Well, it appears the decibel level has gone up a bit, and it's going to go down real quick.

Continue.

**Mr. John Yakubuski:** Speaker, you know me; I hate to raise the decibel level in this House. It's only because when the government does something, we have no option but to stand up and defend the constituency we represent and defend—I must defend—the members of our caucus over here who want an opportunity to speak to this vital piece of legislation. I hope we get it.

**The Acting Speaker (Mr. Paul Miller):** Questions and comments?

**Mr. Peter Tabuns:** Speaker, I appreciate the comments of my colleague from London—Fanshawe. In the

time allotted to her, she tried to touch on as much as she could about the weaknesses in this bill and the need for a bill that will actually make a difference.

I wanted to add that this bill has an opportunity to do work on the question of affordable housing. It could be bringing in an inclusionary zoning standard that would allow people across this province who are facing profound problems with housing affordability an opportunity to get stable, secure and affordable housing by allowing—by making part of a development agreement—to have the developer provide low-cost housing in large developments. It's a fair approach in a time when governments are constrained financially. Sometimes they constrain themselves; that's another discussion. But it is going to be part of a strategy that's needed in this province to deal with affordable housing.

I don't know about you, Speaker, but when I go around my riding, I consistently come across families and households that find themselves paying an incredible portion of their income for housing and can't afford it. I came across a person just a few weeks ago in a unit that had one bedroom, a couple with three children. They were desperate to move, to get into something that would provide them with housing that gave everyone the room they needed to live.

Ignoring, setting aside the opportunity that presentation of this bill presents to address inclusionary zoning and provide more affordable housing is a huge failing on the part of this government. If it does care about the people of Ontario, it should be taking these opportunities to actually address a huge issue.

0940

**The Acting Speaker (Mr. Paul Miller):** Questions and comments?

**Hon. Mitzie Hunter:** It's my pleasure to rise in the House today to speak to Bill 73. I'd like to use this as an opportunity to welcome all members back to the House after the summer, when we have been in our communities speaking to people. In fact, that whole aspect of public consultation and engagement is really critical to our work here in this Legislature. By moving this bill to committee, it actually gives us an opportunity to do further engagement and consultation with communities, which I'm certain that all members of this House would support.

There have been over 40 members who have spoken to this bill in this Legislature—over eight hours of debate—and, in listening to this debate, it's clear that all members support this piece of legislation. Getting it to committee will allow further refinement of this bill and an opportunity for more consultation.

If passed, Bill 73 will ensure that the development charges and land use planning and appeals system are more predictable, transparent and cost-effective, and better able to meet the needs of our stakeholders and of our communities. Amendments to the Planning Act will focus on enhancing citizen engagement, achieving more predictability, supporting municipal leadership and protecting long-term public interests.



It is in our best interests to move forward on this particular piece of legislation. It raises the focus that we have on growth-related infrastructure like transit. Transit is of particular importance to me in my community, in my riding, and I believe that we should move on with this legislation and send it to committee so we can get more consultation and more engagement on this very important piece of legislation.

**The Acting Speaker (Mr. Paul Miller):** The member from London—Fanshawe has two minutes.

**Ms. Teresa J. Armstrong:** I was excited to come back to the Legislature this session, as I always am, but I'm certainly disappointed that this government feels that debate is not part of a democratic right that all MPPs have to stand up and talk to each bill. I was just saying to my colleagues, and it's completely coincidental, that 10 minutes is not enough to talk to a bill. I wrote down some points in my notes and I could barely get to all of them.

If this government is so dead set against giving us a voice to speak to every bill that comes before this House so they can hear our suggestions and our comments, perhaps they don't have to put up speakers; we could control the debate. That would be okay with me, and that would give us more time to speak, so by all means.

Every member in this House wants to talk about this bill. It's an important bill. One of the things I would like to ask the government, and this is something I wasn't able to mention in my notes here on Bill 73: The government had a press release back on March 5, 2015, and the press release indicates: "The government also announced"—this is a quote—"the launch of a Development Charges Working Group of key stakeholders, including municipalities and developers that would provide advice on complex issues needing further consideration." Now, we understand that that's not part of the bill. So my question to the government, or even to the minister, if anyone can help me out here: What's happening with that proposed working group with regard to this bill? I'd like an answer to that if that's possible.

**The Acting Speaker (Mr. Paul Miller):** Further debate? The member from—

**Mr. John Yakubowski:** No, no, I'm leading—

**The Acting Speaker (Mr. Paul Miller):** Okay. Thank you. Thanks very much for that update. The member from Prince Edward—Hastings.

**Mr. Todd Smith:** The member from Renfrew—Nipissing—Pembroke almost was put on the spot there. He has 18 municipalities in his riding that he wanted to speak on, but I have 17 municipalities in my riding, Mr. Speaker. It seemed like—

*Interjection.*

**Mr. Todd Smith:** And a First Nations territory, I might add, so there we go.

I have been looking forward to the opportunity to speak to Bill 73, as I know my colleague from Renfrew—Nipissing—Pembroke has, and I believe my colleague from Lanark—Frontenac—Lennox and Addington has many municipalities in his riding as well and he would probably like the opportunity to bring some thoughts and

comments on behalf of the municipalities that he represents in that vast, expansive rural riding in eastern Ontario. I think that's why we're all sent here: We have the opportunity to represent our constituents in the Legislature.

Many of the members that we have heard over on the other side represent a small segment of a much larger municipality, but this government isn't interested in hearing from all of the other municipalities in Ontario, and there are so many of them out there. There are 440, as a matter of fact. I think sometimes this government is only interested in listening to about eight. The large urban municipalities: They're the only ones that they're interested in hearing from because, let's be honest, that's where most of the votes are when it comes to trying to win a provincial election. That's who they're catering to, and a lot of rural Ontario has been left behind as a result of the actions of this government.

Bill 73 is another cute-named bill. It's the Smart Growth for Our Communities Act. It makes it sound like there's actually something smart in this bill that's going to impress people in ridings right across Ontario and in communities across Ontario. I can tell you that, once again, this bill is about as flimsy as that piece of paper right there. There's not a whole lot of meat on this bone when it comes to this bill. This is something that this government does time and time again, though. They'll bring in legislation that doesn't have anything in it but it has a real snazzy-sounding title that everybody can get behind. Well, how can you vote against smart growth for our communities? You can't, really. But there's nothing in the bill, when you get to it. My wife is a high school teacher, and if she saw this bill, she would grade it as incomplete. It wouldn't even be worthy of a letter; it would be incomplete. I think that's the case, but I digress.

As we move on here, the Association of Municipalities of Ontario represents the municipalities in Ontario, and their reception, or their reaction or response to Bill 73 is lukewarm at best, I would say. Let me quote here: "Elements of the bill which are problematic: AMO objects to the requirement for an upper-tier planning advisory committee"—or a PAC—"with at least one member of the public. The mandatory PAC will create more issues than it resolves." We know that it wouldn't be the first time that this bill has actually brought forward legislation that's created more problems than it solved. They have a pretty good track record of bringing in legislation that makes it more difficult for smart growth and smart development in the province than it fixes.

The Ontario Home Builders' Association—let's hear what they have to say. They have a mixed reaction to this as well. They're saying: "The Ontario Home Builders' Association (OHBA) is concerned that new transit taxes on development will disproportionately increase housing costs for residents and the cost of setting up new businesses." This highlights another remarkable trait of bills that this government introduces: Somehow, somewhere, they're going to find a way to make it more expensive to do business in Ontario, and that's what this legislation is poised to do.

Municipalities are constantly running into planning challenges, but this government has chosen only to address a few that seem to fit the narrow list of things that they want to talk about in some of their large urban municipalities. For at least the last two years, I've had meetings in my office in Belleville and up in North Hastings, and even here at Queen's Park during the ROMA conference that happens every February, regarding the use of private roads in small, rural municipalities. They call them condo roads in a lot of the small, rural municipalities. The government has done nothing to address this issue and the concerns of municipal councils in these small municipalities in regard to Bill 73. That's something that they could have tackled in Bill 73.

In fact, the government policy seems to be to disregard the concerns of a lot of small municipalities. I can even cite the example this past week of the mayor of Prince Edward county. Prince Edward county is a pretty significant municipality in the grand scheme of things in Ontario. It seems to be the number one most promoted tourism area in any of the Ontario advertising that you were seeing on TV during the Pan Am Games or during the Olympics when they were in Sochi, Russia. The Ontario ads, "Yours to Discover," promoted Prince Edward county in five different snapshots of the sandbanks or wineries in Prince Edward county or downtown Bloomfield or wherever it might be.

0950

There are specific concerns that are being expressed by the mayor and council in Prince Edward county that aren't being dealt with by this government. As a matter of fact, when they go to AMO and the mayor of Prince Edward county meets with the Minister of the Environment and Climate Change and a number of other ministers—the Minister of Natural Resources, the Minister of Tourism—he is promised that things are going to progress down the road. But when he follows up with the office after having the meeting at AMO or whatever the conference might be—"Well, we can't meet with you." That's the response that he's getting: "We can't meet with you," for this reason or that reason or another reason, or, "We can't address your specific situation."

They're saying one thing when they're face to face, but when it comes time to actually put the rubber to the road and do something about it, they find an excuse not to. It's shameful what's happening. Relationships are deteriorating between municipalities and the provincial government because of the actions of this very arrogant Liberal government here at Queen's Park.

**Mr. Lou Rinaldi:** Wow. Wow.

**Mr. Randy Hillier:** You've heard the same thing, Lou.

**Mr. Todd Smith:** Yes, definitely. I'm not even going to go there.

Naturally, what's happening is the Premier's office has brought in another Minister of Finance. They brought in Ed Clark. He's actually the new finance minister for the province of Ontario, or policy adviser, or whatever they want to call him.

At times, this bill seems designed to ensure certain outcomes, but at the same time it seems totally unsure of what it wants those outcomes to be. We've seen that when it comes to, for instance, the sale of Hydro One. I'm not going to go down that road now because I don't have the time, but we will hear more about the Hydro One fire sale, I'm sure—in question period today, perhaps.

There are elements of this bill that are actually worthy of supporting. In his address to this year's AMO conference, the president of the association said that the association wants policy that reflects a desire to have growth pay for growth. Not a bad motivation behind planning policy, but it has to acknowledge certain truths, one of which is that we have a housing affordability problem in this province. We have 168,000 people, Mr. Speaker, who are on a wait-list for affordable housing with thousands of them in my riding of Prince Edward-Hastings. We have people who are downsizing in our communities because they can't afford their property taxes. They can't afford their hydro bills. They can't afford their mortgage on the house that they currently live in, so they're having to downsize. In the case of many seniors, just the property tax and the hydro bill are enough to make it tough to make ends meet month after month.

I'm not sold on the idea that increasing the cost of doing business in order to build homes in the first place is the best way to solve an affordability problem. Municipalities are facing ever-increasing financial strains. Oftentimes, the property tax base is an insufficient source of revenue. Belleville council has regularly spoken about the tens of millions of dollars of infrastructure in the city that either needs to be replaced or will soon need to be replaced. It's not just Belleville that is saying these things; it's municipalities right across the province.

The provincial government has continually pushed problems to the municipal level. This has taken many forms, whether it was ending the OMPF funding, which is a huge problem for small municipalities in my riding, cuts to the special dam funding, or a lack of seriousness when dealing with the arbitration process in the province or arbitration reform. Municipalities are continuously being asked to do more with less.

How we ultimately help municipalities best meet the needs that come with growth and planning is going to be a matter that generates considerable debate. Once again, I'm brought back to the fact that this government has put forward a bill that has little meat on the bone. There are not a whole lot of issues that are being dealt with in this bill. They could have been dealt with.

In Prince Edward county, this very concern is raised as the government pushes to erect 400-foot-tall turbines that are being hauled down roads that can barely withstand regular traffic from a Mazda, let alone the giant vehicles that are being brought in to haul these industrial wind turbines down those roads to build these monstrosities in the community. All this, by the way, would be going through an incredibly sensitive wildlife habitat. One can



only imagine what any other developer would have to pay to bring those trucks and have that kind of development occur there.

Thank you, Mr. Speaker. I look forward to wrapping this up.

**The Acting Speaker (Mr. Paul Miller):** Questions and comments.

**Mr. Taras Natyshak:** I'm pleased to listen to my colleague the member from Prince Edward–Hastings. It's good to see him in the House again. He referenced his home riding—a beautiful part of the province. Sandbanks Provincial Park is definitely somewhere you want to go—Picton, Deseronto; all those wonderful places—and the best walleye fishing in the province of Ontario.

Speaker, he also raised some really important, valid points about the nature of this bill, the fact that it really is not as substantive as we would have liked to see in this House when it comes to dealing with the very serious nature of the challenges that municipalities have when facing and trying to analyze sustainable growth in their communities.

Speaker, of the 444 municipalities in the province of Ontario, did you know that it would take a property tax hike of at least 1% for them to raise \$50,000? That's a massive hike for small municipalities—about half of the municipalities in the province—to deal with the impact of growth and the nature of their needs, infrastructure needs just in general. That's enormous, let alone the pressures that have been placed on municipalities due to successive governments, as we've heard today, downloading responsibilities onto municipal rolls. That's something that they still continue to struggle with.

My colleague mentioned some remarks from the president of AMO, Gary McNamara, who is from my area. He's the mayor of Tecumseh. He has expressed some real frustration at the nature of the consultation by the government. It seems as though they have walked away from their acknowledgement of the role that they need to play when it comes to supporting municipalities.

This bill is doing something—not enough. We certainly look forward to adding some reforms that we know can support those municipalities.

**The Acting Speaker (Mr. Paul Miller):** Questions and comments?

**Mr. Lou Rinaldi:** It gives me pleasure to spend a couple of minutes to respond to the member from Prince Edward–Hastings and also to make some comments about the bill.

The member says that we're ignoring municipalities. I'm going to talk about municipalities, not only the eight that I represent in my riding, but the ones surrounding my riding. For the members' knowledge, I do meet semi-regularly with the warden of Hastings; he's a great fellow. I meet with the mayor of Tweed, the mayor of Prince Edward, and I regularly meet and chat with eastern Ontario wardens. I've been doing this for the last 10 or 12 years. So that line of communication is there.

We talk about the lack of consultation with municipalities. We're the only government in this country of

ours that has an MOU that we meet virtually every month with AMO to share their concerns. We don't always agree, I will say that, but I'm—

**Mr. Randy Hillier:** Very seldom. Very seldom.

**Mr. Lou Rinaldi:** The majority of the time we do agree and we accept their suggestions—contrary.

Speaker, for the record, I just want a couple of quotes, for example. This is from AMO:

"AMO appreciates the action being taken on review of the Development Charges Act and the Planning Act, and the province's commitment to providing citizens a greater say in how their communities can grow and municipalities' increased ability to cover costs of growth-related infrastructure.

"Congratulations on bringing forward Bill 73, which takes major steps forward in creating the stability the planning system has lacked in the past number of years"—

**Ms. Daiene Vernile:** Lacked.

**Mr. Lou Rinaldi:** Lacked—"and to help municipalities recover the costs of growth in their communities."

I have a long list here of comments from AMO and member municipalities. I look forward Thursday to going to the eastern Ontario municipal convention. I'll be there to speak to those folks.

Speaker, reality is reality.

**The Acting Speaker (Mr. Paul Miller):** Questions and comments?

**Mr. Randy Hillier:** It's my pleasure to address comments from the member from Prince Edward–Hastings. He mentioned about smart growth in this title. I think anybody who's been involved with municipalities and with development in this province will understand and know intuitively that we have a very complicated, onerous and costly planning regime in this province. What is smart about making it more costly, more complicated and more onerous, which is what Bill 73 does? There's nothing smart about this bill.

I also want to bring attention to the members in the House today that the member from the Scarborough–Guildwood, in her earlier comments, mentioned—and used it as a pretext to end debate on this bill. She said that all members are in agreement with this bill and that we should send it to committee; there's no need to hear from anybody else.

**1000**

She may want to correct the record. I've listened to debate this morning. There is not full support for this bill. I think you'd have to be in some other pixie-dust land to think that there was support in this House for this bill. So the member from Scarborough–Guildwood may want to use both ears while listening to debate and not come to these false conclusions.

Once again, I represent rural municipalities—a number of them. There are significant troubles. Most of the troubles that they experience with the Planning Act are not by other developers challenging but from the Ministry of Municipal Affairs and Housing. The member mentioned in his comments about private roads—that's a

big deal. We've had many, many objections to the OMB by the Ministry of Municipal Affairs and Housing with regard to development and official plans. That is what needs to be addressed and what is failing in this bill.

**The Acting Speaker (Mr. Paul Miller):** Questions and comments?

**Mr. Michael Mantha:** I welcome the comments from the member from Prince Edward-Hastings, who has, from what he indicated from his numbers, a huge amount of communities that are there. But I'd like to one-up him. Out of the 444 municipalities that are in Ontario, 37 municipalities are in Algoma-Manitoulin: 21 First Nations and 15 local service boards. I love each and every one of those communities, and I try to get to them each and every time.

One thing I do want to comment on: He made a comment in regard to the PACs, and he's right. The single- and upper-tier municipalities are required to create planning advisory committees which "shall include at least one resident of the municipality who is neither a member of a municipal council nor an employee of the municipality." Municipalities may join with others to create a single PAC; however, the PACs are not specified or given any information within the context of this.

Also, earlier the Minister of Tourism, Culture and Sport made a comment in regard to shutting down debate. It's funny how quickly you want to shut down debate on this, but when we have one of the biggest policy debates in regard to the sell-off of Hydro One, we're not having that opportunity to have a chat.

The member also talked about the OMPF funding that has been reduced, which the government now has claimed they have reintroduced, but at a lower amount. The dam funding: You're absolutely right. The special dam funding has been under threat of being eliminated, which affects 111 municipalities—which a community out of Algoma-Manitoulin has taken the lead on in the fight in order to maintain that.

I do want to correct the record. My two colleagues the member from Essex and the member from Prince Edward-Hastings talked about walleye fishing. There is good walleye fishing in Prince Edward-Hastings, but everybody knows that the best fishing for walleye and pickerel is in Algoma-Manitoulin.

**The Acting Speaker (Mr. Paul Miller):** Thank you to the member. I've learned every fishing spot in Ontario this morning.

The member from Prince Edward-Hastings has two minutes.

**Mr. Todd Smith:** Perhaps the member from Algoma-Manitoulin and I can settle this outside after.

I thank the members from Algoma-Manitoulin, Essex, Northumberland-Quinte West and Lanark-Frontenac-Lennox and Addington for their comments on my comments this morning as well. I think what we've heard from a number of those who have spoken today, including the member from Northumberland-Quinte West, is that there are other municipalities out there in the province that this government isn't listening to.

**Mr. Lou Rinaldi:** That's what I said.

**Mr. Todd Smith:** You have eight municipalities in your riding. Mr. Mantha has 37 in his riding.

**The Acting Speaker (Mr. Paul Miller):** The new procedure around here is: We talk through me, not to each other. Thank you.

**Mr. Todd Smith:** I'm always happy to speak through you, Mr. Speaker.

I think the thing is that, when you look at the municipalities that are represented by those who just spoke, I bet you, of the probably 60 municipalities that are represented by the members who just spoke, very, very few—single digits—are actually experiencing growth of any kind. Right? I think that that's a problem in rural Ontario. I know that it's a problem in my riding. In some communities, we're experiencing negative growth, and this bill does nothing to address the situation in small rural municipalities. It's all about big development.

As the member from Lanark-Frontenac-Lennox and Addington, Mr. Hillier, said, this bill is actually making it more costly, complicated and onerous for planners, for developers, for growth in our province. That's a big problem. This bill doesn't do what it should be doing. There's nothing smart about this bill. It's just a sound-good sound bite for this government.

**The Acting Speaker (Mr. Paul Miller):** Further debate?

**Mr. Taras Natyshak:** I agree with my friend from Prince Edward-Hastings that the various municipalities that are represented by rural members are not experiencing growth and have not experienced growth for quite some time. Yet they still have to plan for it, and they still have to build in those costs for projected growth, as an optimistic region would do: always looking forward, always projecting forward and always trying to incentivize and entice that growth.

I know that that's what is happening in my area, in Windsor and Essex county, in Chatham-Kent-Essex. Those guys are always looking forward, trying to be innovative in their approach to development, working with developers, working with industries and trying to facilitate it. They just simply wish they had a partner at the provincial level that acknowledged that that is what they're doing, and moulded and tailored policy in that regard.

Somebody made mention that we shouldn't be debating this—I forget who it was; I think it was somebody on that other side—but it is quite interesting. It seems as though the government has touted that they have consulted widely on this bill. They've had some round tables, some discussions with municipalities. However, the largest policy initiative ever put forward by a government in the history of this province, the sell-off of Ontario Hydro, has yet to have one iota of discussion with the public at all. They are keeping that in the dark. It is unbelievable, it's unfortunate, and it really is telling in terms of what they prioritize and what they don't—what gets to be debated and what doesn't get debated. So when it is our time and it is our right to debate a bill in this House, rest assured that we will take it as duly elected members of the House, because that's what our job is.



This bill, as has been mentioned, doesn't really go as far as municipalities and those who are integral players within growth and development in municipalities would like. The bill includes some welcome improvements to the Development Charges Act and the Planning Act, but it is still missing many initiatives and much real, tangible policy, and it really behooves this government to put into place those types of initiatives that they know exist. They know they exist because there was a previous bill, Bill 39, which was put forward by a member of the Liberal Party, not a newly elected member—I think it was one of his first bills, and we supported that bill. It went a lot further in terms of addressing the challenges for municipalities, specifically dealing with the OMB.

We know that homebuyers pay a lot of money in development charges and parkland dedication fees when they buy a new home. They deserve to know where the money is collected and spent. That's what Bill 39 did: It dealt with the OMB. It dealt with some provisions of accountability and transparency for ratepayers, to know that their development charges are actually going to enhance the communities in which they live.

In my area of Windsor and Essex county, we really have some incredible dynamics between municipalities, one of which, LaSalle, is where my wife is from. It's really a wonderful community. It's on the banks of the Detroit River, a historic community that has experienced growth over the years. That's one of the areas that we could point to that has experienced some growth, due in large part to the prudent planning of the municipality, but also the prudent financial discipline and the fiscal discipline that that community has had. You feel it. The roads are nicely paved. They've got good planning. They've got a good amount of natural space that's built in. It really is a wonderful community that people are flocking to.

However, they are now on the boundary of the Herb Gray Parkway, a provincial roadway that is, again, one of the largest expenditures of this government, one of the largest they've ever endeavoured in terms of the cost. They spent a lot of money on that thing.

1010

**Ms. Soo Wong:** Yes. It's beautiful.

**Mr. Taras Natyshak:** Yes, it's beautiful. It has eased the traffic. It's wonderful. However, the four years of construction that that community has endured, and the arterial roads that the construction companies have had to use, have caused a lot of damage to the municipality and to the municipal services. In fact, some residents who are on the boundaries of the parkway are now experiencing massive flooding due to the water that's being accumulated because you've covered so much of that area with cement and asphalt.

The municipality is saying, "Wait a second here. We certainly would like some help. This is your project. You've created some chaos in terms of road usage, damage to roads and the need to repair them. Can we have some help? Can we have a partner in this, seeing as though it was a component of the project?" There's no

partner to be found. The answer was, "No. Sorry. Live with it. Get on with it." So there's another example of where the government has—not officially downloaded costs on them, but by their actions have caused more strife and grief for a community. A community that has, again, if you look at their books, been fiscally prudent and really, really well regarded in our community.

However, they still need support. If you look at the applications for support through various methods and various programs, the province is reticent to support them because their books look good. They're doing so well that the province can't support them in terms of grant money for infrastructure. Therefore, they have to look at other methods to supplement that cost, the cost for their infrastructure and the cost for their growth. That's just one example of the challenges that exist.

Speaker, a glaring omission in Bill 73, the Smart Growth for Our Communities Act, is any attempt from the government to address the serious issue of affordable housing. It is at crisis level, definitely in the GTA. Interestingly, if you come down to my riding, we still have a definite need for affordable housing but, in general, the housing is some of the most affordable in the world—well, in the province. That's why I encourage anyone to come and look at some real estate prices in Windsor and Essex county. It certainly makes more sense than it does in the GTA. A similar-sized house in Essex would be a third of the cost, which for some people just doesn't make sense.

Speaker, the government could and should enact some provisions to include inclusionary zoning, which would give the municipality the tools to demand that developers build those types of projects into their development, therefore creating communities that are affordable and accessible for all residents. It's certainly something they could do that would go a very long way.

My colleague from Chatham-Kent-Essex again referenced the fact that growth isn't happening because of other metrics, mainly the high cost of energy, but also access to energy. In the area of Chatham-Kent-Essex and my riding of Kingsville, Essex, they have a lot of greenhouses that need access to power. Interestingly enough, we are surrounded by, I would say, hundreds of windmills, large industrial wind turbines that are generating power, no doubt, yet we can't feed them into our municipalities to incentivize and add to the growth and the capacity.

For years and years we've heard this government say that they were going to do something. When I was first elected, the Minister of Finance was Dwight Duncan from Windsor-Tecumseh. He stated at that time that he had this issue resolved: It was going to be changed; it was going to be fixed. Here we are four years later and still no inkling of resolution for the community of Leamington.

Certainly, this bill is something that gives a little bit of hope that the government is paying attention. However, we know that, through amendments that we will propose to the bill, we can certainly make it stronger, and we'll

hope that the government listens to those amendments. Many of them will be amendments that exist verbatim in Bill 39 that a member of your caucus put forward and that we believe actually could make this bill stronger. So we'll see how you vote at committee on those amendments, those very amendments that are derived from a member of the Liberal Party, because we actually think that a good idea in this place doesn't need too much—

*Interjection.*

**Mr. Taras Natyshak:** I've got 11 seconds. If it's a good idea, Speaker, we certainly would want to see it implemented. We appreciate that. Oh, we've got time here.

Thank you very much, Speaker.

*Second reading debate deemed adjourned.*

**The Acting Speaker (Mr. Paul Miller):** It being 10:15, and with some assistance from the member from Essex, this House stands recessed until 10:30 this morning.

*The House recessed from 1015 to 1030.*

## INTRODUCTION OF VISITORS

**Mr. Ernie Hardeman:** I'm pleased to rise and welcome the Ontario Good Roads Association team in the gallery today, led by president Rick Champagne from the municipality of East Ferris, and executive director Joe Tiernay. I look forward to meeting with them this afternoon. Thank you very much for being here.

**Mr. Percy Hatfield:** Yes, indeed, the Ontario Good Roads Association will be here. I'll be meeting with Tom Bateman, the county engineer from the county of Essex; Dave Burton, the reeve of the municipality of Highlands East; and Thomas Barakat, the policy adviser for the Good Roads Association. Welcome to Queen's Park.

**Hon. Bill Mauro:** I'm going to just take a moment to introduce Rick Harms. Rick is here with the Ontario Good Roads Association as well. Rick works for the city of Thunder Bay. He's a long-time employee. I had a good relationship with Rick when I was back on city council in the late 1990s and early 2000s. Welcome, Rick, to Queen's Park.

**Mr. Victor Fedeli:** I would like to also welcome Rick Champagne, councillor from my riding of East Ferris, who we'll be meeting later with Good Roads today.

**Mr. John Fraser:** I'd like to introduce Helen De Roia, the mother of page captain Jacob Raponi De Roia, from Ottawa South, who is here today. Jacob's grandmother Ann De Roia is here as well.

**Mr. Monte McNaughton:** I'm honoured to welcome to Queen's Park today Chris Traini, who works for Middlesex county. He's here with Ontario Good Roads.

**Mrs. Laura Albanese:** I would like to welcome Drinks Ontario to Queen's Park. The provincial trade association will be hosting a luncheon reception today in rooms 228 and 230, and all members of the Legislature, their staff and media are invited. Welcome to Queen's Park.

**Ms. Laurie Scott:** I'd like to introduce, in the gallery today, Reeve Dave Burton from Highlands East, who is also here with the Ontario Good Roads Association. He's a member of that executive. Welcome to Queen's Park.

**Hon. Ted McMeekin:** I'd like to welcome guests from the Ontario Good Roads Association. Welcome to Queen's Park. I very much enjoyed our morning meeting. Thank you for that. Let's welcome them.

**Ms. Lisa MacLeod:** It's my pleasure today to introduce, on behalf of my constituents, my local school board trustee, Mark Fisher. He's joining us today in the gallery. It's really nice to see you today, Mark. Thank you for joining us.

**Mr. Yvan Baker:** I'd just like to reinforce the introduction from my colleague from Ottawa South. I'd like to introduce Ann De Roia, who is the grandmother of page Jacob Raponi De Roia, from Ottawa South, but Ann is from my community of Etobicoke Centre. Welcome, Ann.

**Mr. Ted Arnott:** I wish to welcome to the chamber today Councillor Bryan Lewis from the town of Halton Hills. Welcome, Councillor Lewis. Good to see you here.

**Hon. Yasir Naqvi:** I want members' attention for a very special guest who is visiting our Legislature today: the 46th governor of Indiana, from 1989 to 1997, and US senator from Indiana from 1999 to 2011. Please welcome Evan Bayh to our Legislature.

I also want to welcome the CEO and president of Bruce Power, Duncan Hawthorne; the president and CEO of the Council of the Great Lakes Region, Mark Fisher, who is also a school board trustee in the city of Ottawa; and James Scongack, who is VP corporate affairs at Bruce Power. Welcome to Queen's Park.

**Mr. Todd Smith:** I'd like to welcome the chief administrative officer of the fine city of Belleville, Rick Kester, to the Legislature today.

**Mrs. Cristina Martins:** It gives me great pleasure to introduce someone who unfortunately cannot be here today but I know is watching from home: my fantastic former legislative assistant Michael Paolucci, who today embarks on a new journey, going off to the UK to pursue a master's degree at the London School of Economics. We're going to miss you, Michael; best of luck.

**Mr. Rick Nicholls:** From the great riding of Chatham-Kent-Essex, we'd like to welcome Brian Anderson. He's here with Ontario Good Roads Association. Welcome.

**Mr. Ernie Hardeman:** I just noticed, looking at the members' gallery, that we have the deputy mayor of the great city of Tillsonburg, Dave Beres, with us today.

**The Speaker (Hon. Dave Levac):** We have some guests with us today in the Speaker's gallery: Matthew Banninga, Alison Brown, Brittany Davis, Olivia Labonté, Sydney Oakes, Sara O'Sullivan, Justyna Zegarmistrz, Eric Zinn, Isa Topbas and Julia Redmond. These are the interns for the next 10 months working for various MPPs, and we're thrilled to have them here.

*Applause.*

**The Speaker (Hon. Dave Levac):** I would like to point out two things: (1) You're the ones who are being



interviewed by them, so behave for them; (2) this is the program's 40th anniversary, and we are very proud of our intern program and we're glad to help you. Thank you very much for being here.

### WEARING OF PINS

**The Speaker (Hon. Dave Levac):** Point of order: the member for Bruce–Grey–Owen Sound.

**Mr. Bill Walker:** Mr. Speaker, I believe that you will find we have unanimous consent for all members to be permitted to wear a gold ribbon pin in support of Childhood Cancer Awareness Month.

**The Speaker (Hon. Dave Levac):** The member for Bruce–Grey–Owen Sound is seeking unanimous consent to wear the gold pin. Do we agree? Agreed.

It is now time for question period.

### ORAL QUESTIONS

#### PRIVATIZATION OF PUBLIC ASSETS

**Mr. Patrick Brown:** My question is for the Premier. Across the province, when seniors open their hydro bill, they are shocked—shocked that they might not be able to afford to pay their hydro bill. The same people who built this province as Canada's economic engine have had their government turn their back on them as energy prices skyrocketed. Those seniors have watched Ontario sadly become a have-not province. They worry about keeping the lights on in the face of energy bills that have risen by \$1,000 on the watch of this government.

Mr. Speaker, why does the Premier care so little about Ontario's seniors?

**Hon. Kathleen O. Wynne:** As I have said before in this House, I hope that when the issue of electricity prices is raised with any member of the House, they point to the programs that have been put in place specifically to help folks who are perhaps struggling to pay their bills.

We've put in place the Ontario Electricity Support Program; that's a program that will help low-to-modest-income families save an average of \$360 a year. We have put in place, on the industrial side, the Industrial Electricity Incentive Program and the industrial conservation initiative. There is a property tax and seniors rate that seniors can apply for.

I hope that the Leader of the Opposition points people who raise this issue with him to those programs.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Mr. Patrick Brown:** My question is once again for the Premier. When I think of the billing scandal of Hydro One, I'm often reminded of that citizen from Timmins, that senior who saw \$10,000 taken from his account incorrectly by Hydro One—seniors on fixed incomes who, in the words of the Ombudsman, were "mistreated," "abused" and were victims of deceit and deception.

Mr. Speaker, how can the Premier callously ignore the needs of Ontario's seniors because of her reckless energy policy?

**Hon. Kathleen O. Wynne:** So, Mr. Speaker, I take it the argument that the Leader of the Opposition is making is that Hydro One could be a better-run company. I hear in his question the assumption that it should be a better-run company.

The motivation for broadening the ownership of Hydro One is to invest in infrastructure. That is our starting point, but the reality is that this is a company that can be better run. With a professional board and leadership, it can be a better-run company.

I would say to the Leader of the Opposition—

*Interjections.*

**The Speaker (Hon. Dave Levac):** I hope I do not have to employ yesterday's strategy, but I will.

Please finish.

1040

**Hon. Kathleen O. Wynne:** I would say to the Leader of the Opposition, just to remind him of what he said on May 5 of this year: "I generally believe that the private sector can do a better job than the public sector. I generally think market conditions would be helpful for a lot of government agencies." I assume he means Hydro One in this case, Mr. Speaker.

**The Speaker (Hon. Dave Levac):** Final supplementary.

**Mr. Patrick Brown:** Again for the Premier: In this very chamber, the minister responsible for seniors, the Premier's Liberal MPP for York West, said on the topic of the Hydro One privatization, "We should try to protect this wonderful facility which, if sold, will not come back into the hands of the people of Ontario anymore.... We will be at their mercy. Once it is gone, we will have no recourse, no control with respect to the rates, and they will go high."

It must be hard for the minister responsible for seniors to look seniors in the eye and tell them that this deal is good. Why won't the Premier listen to her own cabinet ministers? Why won't the Premier listen to seniors? Why does the Premier proceed with this Hydro fire sale, callously ignoring the wishes of Ontario's seniors?

*Interjections.*

**The Speaker (Hon. Dave Levac):** Be seated, please. Thank you.

**Hon. Kathleen O. Wynne:** At points in the debate around issues in a caucus, there are obviously different opinions. I know that the Leader of the Opposition has that situation in his own caucus. We have very, very active debates within our caucus, and that's healthy. That is very, very healthy for democracy. I welcome those debates within my caucus. I think that's how we make good decisions. I think it's how we hear the perspectives from around the province.

We made a decision that we were going to review our assets. Ed Clark—

*Interjections.*

**The Speaker (Hon. Dave Levac):** I will now employ yesterday's strategy. Warnings are headed your way.

**Hon. Kathleen O. Wynne:** Ed Clark and his team of experts helped us to look at the assets of this province in order to leverage them. We've made a decision that investing in infrastructure in this province—

*Interjection.*

**The Speaker (Hon. Dave Levac):** The member for Nipissing is warned.

**Hon. Kathleen O. Wynne:** —is critical for the future economic well-being of Ontario.

#### AUTOMOTIVE INDUSTRY

**Mr. Patrick Brown:** My question is for the Premier. Over the summer, the city of Windsor lost a bid for the new Jaguar Land Rover plant. The mayor of Windsor, when asked what Windsor could have done differently, said, "It wasn't Windsor, it wasn't Essex, it wasn't our region, but there were other factors ... beyond our control" that created "a competitive disadvantage."

The factors outside of Windsor that created the competitive disadvantage were the policies of this Liberal government.

*Interjection.*

**The Speaker (Hon. Dave Levac):** The Minister of Economic Development is warned.

Carry on, please.

**Mr. Patrick Brown:** Mr. Speaker, these conditions created by the Liberal government are killing jobs in Ontario. When will the Premier change her approach to make sure we create a competitive economy in Ontario?

**Hon. Kathleen O. Wynne:** The 15,000 jobs that were—

*Interjection.*

**The Speaker (Hon. Dave Levac):** The member for Dufferin—Caledon is warned.

Carry on.

**Hon. Kathleen O. Wynne:** —in the last seven months, 15,000 new manufacturing jobs in Ontario, and two years in a row, Ontario has been the number one jurisdiction for foreign direct investment.

The investments we are making, the conditions we are creating in Ontario, the supports that we are giving to industry, whether it is in electricity rates, to allow them to have a reduced rate so that they can be more competitive, or whether it's the direct supports that, quite frankly, the opposition has always objected to—they have never supported the notion that we need to partner with business and make sure that we allow them to thrive, allow them to expand and allow them to become advanced manufacturers, in the case of manufacturing. That's the kind of condition that we are creating.

**The Speaker (Hon. Dave Levac):** Thank you. Supplementary?

**Mr. Patrick Brown:** Again for the Premier: No one is asking for a handout; they just want the sector to be competitive in Ontario. The reality is that we've lost 43,000 auto jobs on the watch of this government. Wind-

sor is a city that relies on manufacturing jobs. Instead of listening to municipalities, the Premier is making it harder and harder for municipalities to compete. Now the Premier wants to hammer municipalities with not only skyrocketing energy prices but the cap-and-trade tax and the payroll tax.

My question is why does the Premier continue to make it impossible for municipalities and cities like Windsor to succeed?

**Hon. Kathleen O. Wynne:** I very much value our good-working relationship with the municipalities of this province. There are 444 municipalities. Our ministers and our members travel the province. We meet with municipal leaders. I believe that it is extremely important for the provincial government to have a good, open working relationship with the municipalities, which is why we have put in place, for example, the Community Infrastructure Fund. It is a direct result of feedback that we got from municipalities on the need to invest in roads and bridges. It's why there's a new Connecting Links Program, to deal with the realities of roads that municipalities can't afford to keep up. We need that support.

The member opposite is part of a party that has not supported the relationship that we have with municipalities—

**The Speaker (Hon. Dave Levac):** Thank you. Final supplementary.

**Mr. Patrick Brown:** It's not about photo ops around the province. Whether it's in Windsor or Oshawa or any plant in between, it's the responsibility of government to create the conditions to be competitive, to create the conditions to create jobs.

You have heard me say again and again that the auto sector is as important to Ontario as oil is to Alberta or potash is to Saskatchewan. Yet for 12 years, the Liberal government has made it harder and harder for the auto sector to succeed in Ontario. Now it's been reported that Buicks won't be made at GM in Oshawa after 2017.

So, Mr. Speaker, my question for the Premier is has she entirely given up on the auto sector and manufacturing in Ontario?

*Interjections.*

**The Speaker (Hon. Dave Levac):** Be seated, please. Thank you.

**Hon. Kathleen O. Wynne:** Minister of Economic Development, Employment and Infrastructure.

**Hon. Brad Duguid:** Mr. Speaker, this party will never give up on the auto sector in this province. We'll continue to make the investments that we need to make. But the party that that member purports to lead gave up on the auto sector in 2009—

*Interjections.*

**The Speaker (Hon. Dave Levac):** I'm going to remind all members again—you have on your desk a reminder—you're speaking to the Chair.

**Hon. Brad Duguid:** Absolutely, Mr. Speaker, through you to the party opposite—

**The Speaker (Hon. Dave Levac):** That is not appropriate. You're speaking to the Chair, just to me. You're not speaking to them.



**Hon. Brad Duguid:** Okay, Mr. Speaker. I'm not sure how to respond to that, except to say, Mr. Speaker, we have made \$1.6 billion in investments in manufacturing. That's brought \$15 billion of investment to this province and 60,000 manufacturing jobs. I beseech the member opposite, Mr. Speaker, look at the members around you. None of them—

*Interjections.*

**The Speaker (Hon. Dave Levac):** Stop the clock. Be seated, please.

The purpose of my interjection was to allow us to bring the temperature down. It's not helpful when others continue to make it rise.

New question.

### PRIVATIZATION OF PUBLIC ASSETS

**Ms. Andrea Horwath:** That's not a good omen for me, Mr. Speaker.

My question is for the Premier. The people of Ontario own Hydro One, but the Premier is plowing ahead with the privatization scheme and keeping owners in the dark. She has held no public consultations and no public hearings. She's eliminated oversight by our watchdogs, like the Auditor General, and she's shed no light whatsoever on any evidence at all to back up her scheme.

Speaker, why is this Premier determined to sell off Hydro One with no transparency and no public scrutiny by the people of Ontario?

**Hon. Kathleen O. Wynne:** Mr. Speaker, let's just go over what we have done and understand that the reason that we are going through this process is that we must invest in infrastructure around the province. There are infrastructure needs in every part of this province, and the two go hand in hand. We're broadening the ownership of Hydro One in order to be able to leverage that asset, retain 40% ownership, keep the regulatory controls in place and keep the process whereby hydro rates are set now by the Ontario Energy Board, but at the same time to allow us to invest in the infrastructure that is needed.

1050

That is what we have talked about in our 2014 budget. It's what we talked about in our platform when we went to the people of Ontario. We held technical briefings for both opposition parties. We talked about it throughout the election campaign. We made it very clear that we were looking at assets to leverage them in order to be able to invest in infrastructure.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Ms. Andrea Horwath:** Every day, the Liberals' powerful friends are working to seal the deal on this \$9-billion privatization. Every day, the Premier refuses to be open and accountable to the people of Ontario, and every day, she ignores the fact that this Liberal government still has no right to sell off our Hydro One. How can this Premier actually think she is entitled to privatize Hydro One with no public support, no public mandate and no public scrutiny?

**Hon. Kathleen O. Wynne:** As I've said in this House, we have worked very hard to make sure that the protections that must be in place for the people of Ontario are in place and that the people of Ontario retain enough control of Hydro One that they can, for example, remove the board; the government can remove the board. Major decisions that will be made by the board have to have two-thirds support, and the government will have—the people of Ontario will have—40% control on that board. Those protections, we have put in place.

What I would say to the leader of the third party is this: Given that she purports to understand the needs of this province, how can she so underestimate the need to invest in infrastructure that she would say, "Stop building; stop investing," just at a time when we need that economic driver?

**The Speaker (Hon. Dave Levac):** Final supplementary.

**Ms. Andrea Horwath:** Over generations, Ontarians have built our hydro system. Over generations, we've made sure that Ontarians are in charge—

*Interjection.*

**The Speaker (Hon. Dave Levac):** Sorry. The Minister of Agriculture is warned.

Carry on.

**Ms. Andrea Horwath:** Over generations, we've made sure that Ontarians are in charge and in control, because that is important. That is important to the families and to the businesses of this province.

But now this Premier is responsible for the biggest rollback of accountability in the history of Ontario's power system. She is selling off Hydro One with no mandate, with no hearings, with no popular and public support, no public oversight. Will this Premier finally admit that she sees openness and transparency as the biggest threat to her privatization scheme?

**Hon. Kathleen O. Wynne:** The leader of the third party knows that we have put in place protections. We have brought in Denis Desautels, the former AG of Canada, to oversee the IPO. She knows that Hydro One will be regulated by the Ontario Business Corporations Act, the Ontario Securities Act and the Ontario Energy Board.

*Interjection.*

**The Speaker (Hon. Dave Levac):** The member from Hamilton East–Stoney Creek is warned.

**Hon. Kathleen O. Wynne:** But what the leader of the third party, I think, would like people to believe is that Hydro One is the same company as it was 40 years ago. What she hasn't been saying is that we already have a mixed system, that there already are many, many people in this province who are not served by—

*Interjection.*

**The Speaker (Hon. Dave Levac):** The member from Renfrew–Nipissing–Pembroke is warned.

Carry on.

**Hon. Kathleen O. Wynne:** The system is already mixed, Mr. Speaker. There already are private companies, municipal utilities, who have the responsibility for distribution and transmission. I think that is a nuance

that she has chosen to ignore as she talks about what we are doing. She also is choosing to ignore the fact that we are investing in infrastructure.

### PRIVATIZATION OF PUBLIC ASSETS

**Ms. Andrea Horwath:** News flash to the Premier: It was public 40 years ago and it is public now. She's the one who is changing that.

My question to the Premier is quite direct. She likes to say that she had a choice to make, that somehow this is all about just a choice she had to make, but Ontarians know that a choice between public hydro and transit and infrastructure investment is a false choice. The truth is that the Premier could have made better choices to fund transit and infrastructure. She could have made the kinds of choices that New Democrats have been calling for; for example, restoring fair corporate taxes in the province of Ontario and closing new corporate tax loopholes that this Liberal government put in place for CEOs to write off the HST on their luxury box seats.

So here's the real question: Why is this Premier choosing to protect the interests of her powerful friends instead of the interests of the public?

*Interjections.*

**The Speaker (Hon. Dave Levac):** Stop the clock. In case he didn't think I noticed, I finally figured it out: The member from Newmarket–Aurora is warned.

Carry on.

**Hon. Kathleen O. Wynne:** I think we just got an insight into the philosophy of the leader of the third party. She would like us to move back 140 years when nobody needed broadband and when there were no transit needs in many of our urban municipalities. We're not going to live 140 years ago. We've moved on and we need to make the investments that are needed in 2015 going forward.

The fact is 24% of the province's distribution is delivered by Hydro One. It is a mixed company. It is very different; it's a mixed system. It's very different than it was 100 years ago, 50 years ago or 140 years ago. We're in 2015. We need to make the investments that are needed in 2015 and that are needed for 2020 and 2030. If the leader of the third party doesn't want to come with us, that's her prerogative, but the people of Ontario need those investments.

**The Speaker (Hon. Dave Levac):** Final supplementary.

**Ms. Andrea Horwath:** Speaker, it's only my second.

**The Speaker (Hon. Dave Levac):** Sorry. Supplementary.

**Ms. Andrea Horwath:** This Premier is making the wrong decisions for families, businesses and for the future of the province of Ontario. She is plowing ahead with the sale of Hydro One even though Ontarians overwhelmingly reject this scheme. She's removing public oversight. She's rolling back accountability in our electricity system. This is not the right direction.

She is using a false choice—a false choice—between public hydro and infrastructure investment to deliberately cater to her small group of powerful friends. How can this Premier put the best interests of her friends ahead of the best interests of Ontarians?

**Hon. Kathleen O. Wynne:** Well, I'm sorry, but by my "powerful friends," I don't know whether the leader of the third party means the mom who needs to get on LRT in order to be able to pick up her kids from daycare, or whether she means the young family in Barrie that have jobs in Toronto and want to be able to go back and forth, or whether she means the family in Hamilton who needs to get across the city in decent time.

If that's who she means by my "powerful friends," they are powerful; they're the people of Ontario. They need the investment in infrastructure, and we're going to provide it for them.

**The Speaker (Hon. Dave Levac):** Final supplementary.

**Ms. Andrea Horwath:** It's easy for this Premier to make those kinds of comments. If they are so damn powerful, she should listen to them and not sell off Hydro One.

This Premier had a choice to make, and we know exactly what she decided to do. She could have kept her promise—because she made it—to keep Hydro One in public hands, but she chose to break that promise. She could have been open and transparent every single step of the way, but she chose to keep the people of Ontario in the dark. Even better, she could have found smart ways to fund transit and infrastructure like restoring fair corporate taxes and closing loopholes for corporations, but she chose to sell off a public asset—

*Interjections.*

**The Speaker (Hon. Dave Levac):** The member from Eglinton–Lawrence is warned.

Please finish.

**Ms. Andrea Horwath:** —that belongs to all Ontarians.

Why does this Premier keep choosing to put the interests of her small group of powerful friends ahead of the best interests of Ontario?

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**Hon. Kathleen O. Wynne:** Let's be clear that the leader of the third party has put forward one alternative, and that is only to increase corporate taxes. That is the only thing she has put forward. What she is saying is that she is proposing that she would raise corporate taxes enough so that we could pay for all of the infrastructure: the Barrie line, the Kitchener line, a billion dollars for the Hamilton LRT, the new alignment of Highway 7 between Kitchener and Guelph, Highway 11/17 four-laning between Thunder Bay and Nipigon, the second phase of the LRT in Ottawa and the EA for high-speed rail—

*Interjection.*

**The Speaker (Hon. Dave Levac):** The member for Hamilton Mountain, you are warned.

**Hon. Kathleen O. Wynne:** —from Toronto through London to Windsor. All of that, she would fund through



increases in corporate taxes. Well, I would put to her, Mr. Speaker, that if she were to do that, then the whole discussion about the economic competitiveness and viability of this province would change. We would not be drawing direct investment—

*Interjection.*

**The Speaker (Hon. Dave Levac):** Thank you. The member from Prince Edward–Hastings is warned.

New question.

## PESTICIDES

**Mr. Toby Barrett:** To the Minister of Agriculture: 28,000 members of the Grain Farmers of Ontario have been forced by your government to go to court, seeking an immediate stay of your regulation banning neonics. Peggy Brekveld, a Thunder Bay dairy and crop farmer, vice-president of the Ontario Federation of Agriculture, charges that your regulations are unworkable: “We will be required to have a certified crop adviser inspect our fields ... there’s only about 100 CCAs that are qualified to do these inspections.”

Minister, your regs question the integrity of consulting agronomists, disqualifying those who work with the seed trade. Where are you going to find sufficient crop advisers who are not associated with Ontario’s seed trade sector?

**Hon. Jeff Leal:** Mr. Speaker, through you, I want to thank the member from Haldimand–Norfolk for his question this morning. Clearly, over the last little while, we’ve identified four key areas that have put stresses on pollinators in the province of Ontario.

We’ve identified that the last two winters have been extremely cold, which has an impact on our pollinators in Ontario. We do know that there are mites that invade beehives in the province of Ontario, the varroa mite. Thirdly, there is the management of hives in the province of Ontario, those hives that are professionally managed and those hives that are managed by hobbyists in that area. Fourthly, we do know that the blanket use of neonic application in the province of Ontario is having an impact on the health of pollinators right across the province of Ontario.

Just recently, Mr. Speaker, we’ve embarked, along with our agricultural partners, on a general pollinator strategy for the province of Ontario. It’s the way to go forward.

**The Speaker (Hon. Dave Levac):** I just want to remind, as I’ve reminded others, to make sure that it’s through the Chair.

**Mr. Toby Barrett:** Back to the regs: Farmers do want to know just who is standing up for farming at the cabinet table. Amended reg 63/09 indicates that all treated corn and soybean seed is now registered as a class 12 pesticide; it characterizes a treated seed as a pesticide and therefore regulates the seed, not the pesticide. It’s unacceptable. It’s unnecessary. It’s inappropriate. It will cause significant and irrevocable economic damage without any clear evidence of any off-setting benefits for

pollinators—yet another reason farmers realize that your regulatory process is simply unworkable.

Minister, why would you, as Ontario’s Minister of Agriculture, regulate a seed itself as a pesticide?

**Hon. Jeff Leal:** I certainly want to thank the member for his supplementary, but I want to know where the official opposition stands on defending supply management in the province of Ontario. I want to know where the official opposition stands on providing 60% by the government of Canada to make our Risk Management Program whole for all the farmers of the province of Ontario.

But, thirdly, Mr. Speaker, I want to quote some people who are agronomists in this area. Greg Stewart, the official agronomist for Maizex Seeds, has said about purchasing untreated seed when needed: “It’s not too difficult.”

DeKalb agronomist Bob Thirlwall said the process isn’t as onerous as some growers think. “We’ve talked about it with a few growers: Is it any more work than the paperwork for having insecticide applied by airplane? We decided it’s actually less work.”

Ken Currah, a Pride agronomist: “We are encouraging growers to have that discussion with their agronomists.” What acres need it? What acres don’t?

This is what I’m hearing from grassroots farmers in the province of Ontario.

## TEACHERS

**Mrs. Lisa Gretzky:** My question is to the Premier. For more than a year, this Liberal government has failed to reach new collective agreements with all of our dedicated teachers and education workers. Last week the government failed again, and talks collapsed with elementary teachers.

The only way for this government to reach a deal is to be at the table, taking part in genuine and meaningful negotiations. When will this Premier send her minister back to the bargaining table?

**Hon. Kathleen O. Wynne:** Minister of Education.

**Hon. Liz Sandals:** I’m very pleased to report, Speaker, that after very long and prolonged talks, we have in fact reached agreements—as you know, tentative agreements—with the English Catholic teachers and with the Ontario secondary school teachers. We are bargaining, as we speak, with the francophone teachers, and I’m quite optimistic.

We understand that each of our sectors is a little bit different. The French sector is different from the English sector; the public sector is different from the Catholic sector; the secondary panel is different from the elementary panel. For that reason, the conversations that we’ve had with each of our four unions—and I would like you to know that we’ve actually spent a lot of time with ETFO. We—

**The Speaker (Hon. Dave Levac):** Thank you. Supplementary?

**Mrs. Lisa Gretzky:** The Minister of Education says that it takes thousands of hours of negotiating to reach tentative deals, but to make that happen, to reach those agreements, the government needs to show leadership and actually be at the bargaining table. Once it's at the table, the government needs to negotiate in a genuine and meaningful way rather than trying to impose deals just to help the federal Liberal Party.

Why is the Premier refusing to get back to the bargaining table and get back to real negotiations?

**Hon. Liz Sandals:** Speaker, I have no idea where the notion has come from, raised by the NDP and the union, that this has anything to do with the federal government. The reason that we have put a complete package before the elementary teachers is because they have been on strike since May 11, and that has caused disruption to our students. Our students have not had their EQAO test. They didn't get their report cards. Their parents aren't meeting their teachers. They're not having the field trips they would normally have.

We want the disruption to stop, and that's why we tried to speed up the process with the elementary teachers: because we want to get the elementary public system back to the way it should be. We are absolutely willing to talk about how to fine-tune the deal.

#### ONTARIO RETIREMENT PENSION PLAN

**Mr. Arthur Potts:** My question is to the Associate Minister of Finance. Over the summer, I've had the opportunity to speak to many people in the riding of Beaches–East York about the issues that concern them the most. What I've heard is that there is a growing anxiety about retirement security. Quite simply, the CPP does not work for seniors who do not have outside, independent third-party pension plans.

Many in my riding, particularly those in their 20s and 30s, do not have access to a workplace pension and are concerned about their futures. They worry that they will not be able to maintain the same standard of living in retirement, or they may outlive their savings. And they know seniors who are suffering from exactly that situation.

That is why so many Ontarians are very supportive of our government's plan to bring in the Ontario Retirement Pension Plan. My constituents are very eager to learn more about the plan and how it affects them.

Over the summer, I know that the Premier and the minister announced details about the ORPP, and I would like if the minister would please explain to us the new details of the plan.

**Hon. Mitzie Hunter:** I want to thank the member from Beaches–East York for that very important question.

Mr. Speaker, Ontario is leading on this important issue. We are creating the ORPP to help close the retirement savings gap. Our goal is that by 2020, every employee in Ontario would be part of the ORPP or a comparable workplace pension plan.

When we talk about a comparable plan, we mean registered workplace pension plans, like defined benefit plans and defined contribution plans. These plans will need to meet minimum contribution thresholds and provide locked-in benefits. With these thresholds, we can confidently say that workers will be able to achieve a similar benefit provided by the ORPP.

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We developed our approach by listening to people. We developed our approach by listening to business. This design ensures that all Ontarians can have access to the retirement security that they deserve.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Mr. Arthur Potts:** Thank you to the minister for that fine answer. She's doing an excellent job in giving us the security in retirement that we all need. I know that the constituents in my riding of Beaches–East York will be glad to hear about the specific steps our government is taking to ensure all Ontarians will have access to secure retirement.

In recent months, I've also spoken with many local business owners about the ORPP, and many of them are very pleased to see that the government is introducing this plan that will give an affordable way for them to provide their employees with a meaningful pension.

In these meetings, businesses have emphasized the importance of having time to plan for the introduction of the ORPP. I know the minister has engaged with business extensively and that they were active participants in that consultation process on the ORPP earlier this year.

Mr. Speaker, again through you to the Associate Minister of Finance: Will the Minister please outline the steps our government is taking to help businesses plan for the introduction of the ORPP?

**Hon. Mitzie Hunter:** I want to thank the hard-working member for that important question.

The Ontario Retirement Pension Plan, the ORPP, is an investment in a secure retirement future for all Ontarians. That's not just individuals; that's business as well. Over the past several months, I've met with representatives from across the business community throughout Ontario. We heard that businesses and employees need time to plan. That is why we announced that we will be enrolling employers in stages, beginning with the largest employers in 2017. This coincides with expected reductions in EI premiums. We also announced that we will be phasing in contributions over three years.

The Ontario Chamber of Commerce said our approach is "a step in the right direction." Through the ORPP and its implementation, we are investing in our collective futures, which is good for all businesses in Ontario.

#### TAXATION

**Mr. Monte McNaughton:** My question today is for the Minister of Finance. Minister, in January, this Liberal government made significant changes to Ontario's estate administration tax. The \$143-million death tax on grieving families is nothing more than another cash grab.



Minister, one of the changes made is to force estate trustees, usually the children of the deceased or the grieving widow, to provide a detailed list of their loved one's assets and a description of their value to you within days of losing their loved one. Minister, where is this government's compassion?

**Hon. Charles Sousa:** Mr. Speaker, interesting question, but let me be very clear. To you, Mr. Speaker—directly to you, because I don't think they listen on the other side—it reads as follows: The government has not introduced a new tax on estates. It has not changed the amount of estate administration tax payable or the way that this tax is calculated. All we are doing is ensuring—

*Interjections.*

**The Speaker (Hon. Dave Levac):** The member from Glengarry–Prescott–Russell will withdraw.

**Mr. Grant Crack:** Withdraw, Speaker.

**The Speaker (Hon. Dave Levac):** Thank you. Carry on.

**Hon. Charles Sousa:** Mr. Speaker, the regulation ensures that the government has the information needed to perform the audits and verify that the correct amounts of the tax have been paid. All we're doing is ensuring that the procedure takes place.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Mr. Monte McNaughton:** Well, not very much compassion there.

Back to the Minister of Finance: Family farms or small businesses can give rise to a death tax amounting to many tens of thousands of dollars. This is a debt that, when coupled with the income tax levied on capital gains, may force the next generation to sell the family business.

Minister, you've already collected a lifetime of taxes on these assets. The Liberal view may be that small businesses and family farms are nothing more than money laundering operations for the rich, but we in the PC caucus recognize how vital Ontario's entrepreneurs and farmers are to Ontario's economy.

Minister, I ask you, is there no better way to balance the books in the province of Ontario?

*Interjections.*

**The Speaker (Hon. Dave Levac):** Be seated, please.

I would offer this as advice: third person, which means you're not talking to the minister; you're talking to the Chair, just as a reminder. We're going to try to get that done right this time.

**Hon. Charles Sousa:** The member opposite and the PC caucus should well understand the process because it was they who introduced the EAT in 1998. They introduced this administrative tax. All we're saying is that the regulation does not change the court process. The EAT is collected by the court staff, and the new requirements will not change the court process or the amount of tax payable.

They're the ones who introduced it. We're just making certain that it gets implemented correctly, that's all.

## GOVERNMENT ACCOUNTABILITY

**Mr. Taras Natyshak:** My question is to the Premier. Yesterday, we learned that a top Infrastructure Ontario executive had admitted to defrauding York University. Instead of being fired, he was put in charge of procuring a stadium for York University. We also learned that, as early as January 2012, Infrastructure Ontario's chief risk officer knew about the fraud, but the fraud remained a secret outside of Infrastructure Ontario.

Today, we learned that CEO David Livingston knew about the fraud: the same David Livingston who became Dalton McGuinty's chief of staff and is being investigated by the OPP for his role in a cover-up.

Yesterday, when I asked the minister if David Livingston knew about the fraud, he refused to answer. Did the minister really not know, or did Infrastructure Ontario keep that information away from him as well?

**Hon. Kathleen O. Wynne:** The Minister of Economic Development, Employment and Infrastructure.

**Hon. Brad Duguid:** I think the member's recollection of his question and the answer yesterday isn't entirely accurate. The fact is, the member did ask me a question yesterday and I responded that, to the best of our knowledge, the board had not been informed of the particular circumstances. That remains the case.

We take this matter seriously, though. It is a serious matter and it's one that I think we need to take very seriously. Infrastructure Ontario has appointed an independent law firm to review this matter, to review the time that this individual was employed at Infrastructure Ontario, as well as the circumstances of his departure. There is also a forensic audit firm that's been hired to take a look at the transactions that have occurred. And I, as well, am in the process of retaining a third-party special adviser to be our eyes and ears over this process at the same time.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Mr. Taras Natyshak:** We now have evidence that senior officials at Infrastructure Ontario covered up the fact that one of its top executives had admitted to fraud. David Livingston says that he knew about the fraud and that he told the Infrastructure Ontario board. Board members, however, deny this completely. Someone is not telling the truth; we just don't know who.

Last December, the minister asked us to trust Infrastructure Ontario when it claimed, without evidence, that \$8 billion spent on public-private partnerships wasn't a waste of money. Now the minister wants us to trust Infrastructure Ontario to investigate its own cover-up.

Will the minister call for a truly independent investigation of the culture of cover-ups that evidently exists within Infrastructure Ontario?

**Hon. Brad Duguid:** Rhetoric notwithstanding, this is a serious matter and we're doing, I think, what we need to do to get to the bottom of it. I said yesterday and I say today, there are unanswered questions surrounding the circumstances of this individual's departure and there are some unanswered questions that we want to ensure are

looked into, and that's surrounding his activities while he was with Infrastructure Ontario.

The actions in question—the alleged actions that this individual took with York University—were outside of his role with Infrastructure Ontario, but out of an abundance of caution and prudence, we want to make sure that during his time at Infrastructure Ontario there were no further anomalies that can be identified. That's why we're taking the third-party actions that we're taking.

#### SERVICES FOR THE DEVELOPMENTALLY DISABLED

**Mr. Lou Rinaldi:** My question is to the Minister of Community and Social Services. Last month, I was pleased to be with you in Campbellford for an announcement of almost \$400,000 over two years for a project that will offer additional in-home support for people with developmental disabilities in my riding of Northumberland—Quinte West. This community hub residential model is a collaboration between Community Living Campbellford/Brighton and Campbellford Memorial Hospital and will provide support to aging individuals with developmental disabilities in surrounding rural areas to allow for their continued independent living.

Minister, this project is part of a broader Developmental Services Housing Task Force initiative that you mentioned in the House earlier this year. Can the minister please provide us with an update on the recent work of the housing task force and the progress made for residential services in Ontario?

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**Hon. Helena Jaczek:** Thank you to the member from Northumberland—Quinte West for the question. I was really delighted to be in Campbellford last month to announce the funding for the community hub residential model, and also to be introduced to so many of my ministry's local stakeholders in the member's riding, showing, really, how deeply rooted he is in his community.

I was also in Smiths Falls, Lanark county, to announce a project which will provide residential supports to developmentally disabled adults with complex medical needs so that they can also live independently.

These projects are recommended by the Developmental Services Housing Task Force and are part of the recent announcement of 12 community-based housing initiatives for adults with developmental disabilities. Our government has committed up to \$6 million over the next two years for demonstration or research projects, which includes \$3.47 million to support these 12 recently announced projects.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Mr. Lou Rinaldi:** I would like to thank the minister for outlining the work that this government and your ministry have been doing. In my conversations with residents and leaders in my community, it's very clear the importance that access to residential services has on the lives of the individuals living with disabilities and

their families. There continues to be need for more creative residential options and day support for respite service. This is a struggle that individuals, families and the development services sector have known for a long time. However, the government's \$810-million investment is making a tremendous difference in the lives of thousands of Ontarians.

Can the minister please elaborate on how efforts like the Development Services Housing Task Force will work toward creating more opportunities for Ontarians who value inclusion, choice and independence for these vulnerable individuals in need?

**Hon. Helena Jaczek:** We know that many individuals with developmental disabilities have very unique needs and that there is a demand for a broader range of housing solutions that address these individualized needs. Our challenge isn't just about finding more supports; it's about finding the right kinds of supports for each individual. The Developmental Services Housing Task Force was created to help find and encourage inclusive and creative housing solutions which would expand the options and choices available to adults with developmental disabilities.

I'd like to thank the hard work of the agencies, the families, the community partners and the housing task force members. We've had an opportunity to expand our knowledge and learn how creative partnerships can help us provide new housing support options. A second call for proposals for additional projects will be issued later this year, and I look forward to future creative partnerships that we can learn from, to see if we can replicate these across the province to help more people in the community.

#### MINING INDUSTRY

**Mr. Norm Miller:** My question is to the Minister of Northern Development and Mines. Minister, the Fraser Institute's annual survey of mining companies has again placed Ontario near the back of the pack for mining jurisdictions. On the investment attractiveness index, this year Ontario fell nine places to 23rd in the world. The high cost of electricity in Ontario is continually cited as a key contributing factor in this slide.

This spring, the Association of Major Power Consumers in Ontario revealed that the hydro customer was ignored in your government's plan to sell off a majority stake of Hydro One. Members of AMPCO employ thousands of people across northern Ontario.

Minister, can you guarantee that the sale of Hydro One will not lead to increased electricity costs for industrial consumers in northern Ontario?

**Hon. Michael Gravelle:** As the member knows well, Ontario remains the top jurisdiction for mineral exploration in the country, if not across the continent. We are very, very proud of that despite the challenges that we do see related to commodity pricing. The fact is that indeed we are also very proud of the fact that, although we recognize the challenge of energy pricing, earlier this year we made the Northern Industrial Electricity Rate Pro-



gram a permanent program, which has been a tremendous help for the resource-based sector in terms of reducing those energy costs.

May I say, with the time I have left, we are also still seeing, despite the challenges that are there, the number of mines in the province of Ontario that are continuing to open up being a real positive—we're seeing operations, certainly, in Red Lake in terms of Rubicon Minerals and in terms of the Cochenour expansion and the New Gold expansion, which I know the member knows well about. We are very, very proud of that and looking forward to—

**The Speaker (Hon. Dave Levac):** Thank you. Supplementary?

**Mr. Norm Miller:** Thank you, Minister. And you well know that the NEER program only applies to a handful of companies.

Again to the minister: We've seen this story before. When jurisdictions become uncompetitive, companies pull out and take local jobs with them. When Xstrata Copper pulled up stakes in Timmins only to move across the border to Quebec, they cited uncompetitive hydro rates as a key motivating factor in the move. Northern Ontario lost 700 good-paying jobs. Minister, will the sale of Hydro One lead to more stories like that of Xstrata Copper and more jobs lost in northern Ontario?

**Hon. Michael Gravelle:** It's actually rather unfortunate to hear the members who are talking down what is really obviously a very positive industry in terms of the economy in northern Ontario. When we see the fact that mineral production in the province reached over \$11 billion—

**The Speaker (Hon. Dave Levac):** To the Chair, please.

**Hon. Michael Gravelle:** —in 2014, up from \$5.3 billion about 10 years previously, that's obviously a very positive sign.

We don't deny that there are challenges. Certainly we all know about the challenge—

**The Speaker (Hon. Dave Levac):** I ask the member, as I have asked others: You are addressing the Chair.

**Hon. Michael Gravelle:** Excuse me, Speaker. I thought I was looking at you. I now will indeed look at you and point out the fact that we continue to be very, very enthused about the positive opportunities in the mining sector.

Certainly the Northern Industrial Electricity Rate Program is helping major resource sector producers in both the mining and forestry side reduce their energy costs, which is allowing them to continue to make mines open up in the province of Ontario, which we are continuing to see. We've very excited about the opportunities in the mining sector. Keep working—

**The Speaker (Hon. Dave Levac):** Thank you.  
New question.

#### CHILD CARE

**Ms. Catherine Fife:** My question is to the Premier. This Premier's record on child care just keeps getting worse, and families across Ontario are paying the price.

Ontario has no comprehensive plan for child care: no targets, no timelines. Most recently, the Premier backtracked on her support for \$15-a-day child care.

The Premier has stood on the sidelines while public child care centres close their doors in communities like Samia, Sudbury, Windsor, London; Peel region closed their 12 regional centres as well. Now, five public child care centres are at risk of closure in Waterloo region. Each of these five child care centres has attained the triple gold standard of the Raising the Bar program for the last 12 years. They serve 250 children and their families. Every time we lose a public child care centre, we lose quality care for kids in this province and good jobs in our communities.

Why is this Premier doing nothing to stop the closure of quality child care centres and doing nothing to stand up for child care that Ontario families so desperately need?

**Hon. Kathleen O. Wynne:** Minister of Education.

**Hon. Liz Sandals:** Speaker, I'm very pleased to tell you that, in fact, I think the member opposite has misrepresented the data. In fact—

*Interjections.*

**The Speaker (Hon. Dave Levac):** The minister will withdraw.

**Hon. Liz Sandals:** Withdraw.

**Interjection:** Misinterpreted.

**Hon. Liz Sandals:** Misinterpreted, perhaps. But let me tell you what the data are and then people can argue over how they feel about that.

Since 2003, our government has almost doubled the provincial spending on child care. We are now up to over \$1 billion in spending on child care. What that has allowed us to do is increase the number of licensed child care spaces in Ontario by 70%, so that we now have added 130,000 additional licensed child care spaces.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Ms. Catherine Fife:** Again to the Premier: On Monday, when our leader asked the Premier why she refuses to support making child care more affordable, the Premier said, "We have no understanding of what it would mean to the people of Ontario." Well, parents across Ontario know exactly what quality, affordable child care means. It means not being stuck on a wait-list for a spot you can afford—

*Interjection.*

**The Speaker (Hon. Dave Levac):** The Premier is warned.

**Ms. Catherine Fife:** It means knowing that your child has access to the safest care with qualified professionals.

There are approximately 3,800 families and children on Waterloo region's wait-list. Almost half of those families need immediate care right now, yet the province sits on its hands while centres have been closed or privatized across the province.

Will the Premier commit to a real plan for child care in Ontario that sets targets, that sets timetables to grow child care in this province, rather than overseeing the closure of yet more high-quality public centres across this province?

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**Hon. Liz Sandals:** What we have done since we were elected first in 2003 is that we introduced full-day kindergarten. We've created 130,000 new child care spaces—

*Interjections.*

**The Speaker (Hon. Dave Levac):** Finish, please.

**Hon. Liz Sandals:** We doubled the amount of money that we're spending to over \$1 billion. We've spent \$120 million in building new licensed child care spaces. We have made a huge, unprecedented investment in child care.

What we have said since the beginning—not just the beginning of the election, but the beginning of this story—is that when Mr. Mulcair said he was going to introduce a new program, he didn't say how he would recognize that. He didn't say what he was going to expect Ontario to pay for, because we know that we've already made a huge investment. We want to know what he's going to do to invest.

*Interjections.*

**The Speaker (Hon. Dave Levac):** Stop the clock, please.

New question.

## YOUTH SERVICES

**Ms. Sophie Kiwala:** My question is for the Minister of Children and Youth Services. Speaker, we know that children's social environment is an important factor in determining whether they'll succeed academically, socially and in the labour market. This is exactly one of the reasons why, for example, the Premier's Council on Youth Opportunities is such an integral part of youth engagement and in bringing valued youth voices to the table. I was pleased to recommend the Premier's council to Kingston and the Islands this summer.

Across the province, some children and youth experience more hardship than others. This is something that we all know in this House. Mr. Speaker, would the minister please explain what supports her ministry provides to ensure that at-risk youth are able to succeed?

**Hon. Tracy MacCharles:** First, I want to thank the MPP from Kingston and the Islands for her fantastic work to support youth in her riding. Having our Premier's Council on Youth Opportunities at Kingston and being part of it is just great.

We all know that when kids are at risk, we want to have the right support so that they can reach their full potential and make really positive choices for their future. That's why we've taken a whole-of-government approach to serving and meeting the diverse needs of youth.

We've seen very, very positive results since the launch of our 2012 youth action plan. We've fulfilled all 20 recommendations of that plan. So now what we have are 27,500 youth facing barriers, across Ontario, who are now accessing new supports and opportunities. The youth outreach program has been increased, and the Youth Opportunities Fund provides \$5 million per year to support community projects for at-risk youth.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Ms. Sophie Kiwala:** I'm glad to hear that the minister is taking these issues seriously. It's encouraging that the youth action plan has been expanded, but I know that one of the main concerns for at-risk youth is that without proper support and guidance, they may become involved in criminal activity.

Programs like Youth Diversion in my riding of Kingston and the Islands focus on keeping promising youth out of the justice system where a criminal record can destroy the rest of their lives and erase the opportunity for a second chance. The staff and volunteers at the Youth Diversion Program understand full well the value in extrajudicial measures and alternative court proceedings.

Mr. Speaker, does the action plan address concerns about youth crimes specifically?

**Hon. Tracy MacCharles:** With the expansion of the current youth action plan, we are providing \$55 million over the next three years to address the root causes of youth violence and to focus on closing the gaps in service for youth at risk. That's a very substantial and historical investment. We expect the plan will create an additional 37,500 opportunities per year for children at risk. To help young people into the labour force, we're partnering with training, colleges and universities to invest \$250 million over the next two years for the youth jobs strategy. That focuses on skills development for young people and making sure they're making the right connections to where the jobs are.

We're very committed to continuing this important work and providing wonderful opportunities for Ontario's youth at risk. We want to continue to get at the root cause of violence.

## WIND TURBINES

**Mr. Todd Smith:** My question is for the Minister of Natural Resources this morning. Joe Crowley is the minister's species at risk expert. He testified less than two weeks ago at an Environmental Review Tribunal in Prince Edward county that he recommended against issuing a permit for wind turbines to kill, harm and harass endangered species on the south shore of Prince Edward county. What did the minister's office do? They granted the permit anyway.

But when the ministry experts recommended against a project in the minister's own riding, back in 2011—just before the election that year—the ministry couldn't kill that project fast enough. So the ministry's own experts have confirmed that politics, and not science, is guiding what wind turbine projects are allowed to kill endangered species in the province.

Speaker, will the minister overturn the anti-scientific decision that was made and revoke the permit it gave to Gilead in Prince Edward county and do—

**The Speaker (Hon. Dave Levac):** Thank you.

*Interjections.*

**The Speaker (Hon. Dave Levac):** Be seated, please. Thank you.

**Mr. John Yakubuski:** Be careful. You've been warned.



**The Speaker (Hon. Dave Levac):** And so have you. Minister of Natural Resources and Forestry.

**Hon. Bill Mauro:** I want to thank the member for the question. I think it's interesting what's going on here. We know very clearly that this particular party in opposition is not in favour of our renewable energy projects that are going on across the province of Ontario. We also know very clearly, I think we can state with some definition, that they're also not in favour of the Endangered Species Act legislation that we brought forward some time ago.

The beauty of this question, and I've had one like this before, is now we see the opposition party's position, where they want to try and use Endangered Species Act legislation to prevent a wind turbine project going forward that I think, perhaps, they don't on the ground support. So they have these two conflicting pieces of legislation, one which can stop or allow a project to go forward.

Both of these projects, this one and another one, are still before the Environmental Review Tribunal. There's not a lot I can say specifically on them, but I will speak more in the supplementary in terms of what detail I can—

**The Speaker (Hon. Dave Levac):** Thank you. Supplementary? The member from Huron—Bruce.

**Ms. Lisa M. Thompson:** Back to the Minister of Natural Resources and Forestry: Minister, your government has a track record of hiding inconvenient truths. From cancelled gas plants to eHealth to Ornge, the Liberal name has become synonymous with scandal, and it doesn't stop at Ostrander Point, unfortunately.

We have learned just last week that your government is up to your same old tricks. It's just so you—

**The Speaker (Hon. Dave Levac):** To the Chair, please.

**Ms. Lisa M. Thompson:** Speaker, this old, tired government is up to the same old tricks because they want to cover Ontario's landscapes with costly, unwanted industrial wind turbines.

Back to the minister: Minister, Barbara Ashbee, Lorrie Gillis, Ted Whitworth, Bill Palmer, the list goes on—communities across Ontario want to know why this Liberal government continues to blatantly disregard scientific evidence in order to ensure industrial wind turbines continue—

**The Speaker (Hon. Dave Levac):** Thank you. Minister?

**Hon. Bill Mauro:** Speaker, all renewable energy projects in the province of Ontario receive their approval to move forward through the Ministry of the Environment and Climate Change—all of them. They make an application, they get a FIT contract from the Ministry of Energy, they get their broader-based approval from the Ministry of Environment and Climate Change. The projects in question have received those approvals.

When it comes to our particular ministry, we get involved where necessary when it comes to endangered species. If an endangered species is found to be on the site, we then play a role. On the ground, district by district, they make the decisions on whether or not there

is an endangered species present, and if there is, on a district-by-district basis, they make a decision on whether or not we are able to mitigate on both the habitat and on the species. That's exactly what has happened in this case. That's why we provided an overall benefit in both cases, and that's what we did on a district basis here. Nothing secretive about anything that's going—

**The Speaker (Hon. Dave Levac):** Thank you.

## NOTICES OF DISSATISFACTION

**The Speaker (Hon. Dave Levac):** “Pursuant to standing order 38(a), I wish to advise you of my dissatisfaction with the response of the Minister of Agriculture, Food and Rural Affairs to my question on neonics regulations. The reason for my dissatisfaction is that, in my view, there is not enough time for a fulsome answer to a detailed technical issue”—the member for Haldimand—Norfolk.

Pursuant to standing order 38(a), the member for Prince Edward—Hastings has given notice of his dissatisfaction with the answer to his question given by the Minister of Natural Resources concerning wind turbine processes.

The matter will be debated today at 6 p.m. The previous one will be debated today at 6 p.m. as well.

## VISITORS

**The Speaker (Hon. Dave Levac):** The Minister of Agriculture on a point of order.

**Hon. Jeff Leal:** Thank you very much, Mr. Speaker. I take great pleasure in introducing, in our gallery today, Wendy and Mike Radan, from the wonderful riding of Lambton—Kent—Middlesex, the parents of my wonderful legislative assistant, Mackenzie Radan. We welcome them here today.

**The Speaker (Hon. Dave Levac):** There being no deferred votes, this House stands adjourned until 3 p.m. this afternoon.

*The House recessed from 1141 to 1500.*

## INTRODUCTION OF VISITORS

**Mr. Victor Fedeli:** I would like to introduce my good friend from the riding of Nipissing, Joe Bodley, who is here in the gallery.

**Ms. Daiene Vernile:** Mr. Speaker, I would like to introduce you to my new executive assistant here at Queen's Park. Her name is Angela Drennan.

**The Speaker (Hon. Dave Levac):** Welcome. Thank you.

## MEMBERS' STATEMENTS

### CHILDHOOD CANCER AWARENESS MONTH

**Mr. Bill Walker:** September is Childhood Cancer Awareness Month. I, along with my colleagues here in

the Legislature, am wearing the gold ribbon pin in support of every family and child affected by this life-threatening illness.

As the number one cause of disease-related death for children ages one to 14, we need to stand united to conquer childhood cancer. The fight against childhood cancer should never be fought alone. That is what the gold ribbon campaign is about.

I myself wear this gold ribbon today in honour of two people. First is Conah Higgins, the son of dear family friends. Conah was in the process of moving to Canada from the UK when he, sadly, passed away from cancer at the age of 17.

The other is in memory of Brendan Rourke, a young man from my riding of Bruce–Grey–Owen Sound, and to recognize the tireless advocacy work of his father, Neal Rourke, who, in collaboration with an international network of parent groups and survivor networks, is raising funds and awareness for young girls and boys whose childhoods have been regrettably cut short.

Three weeks ago, Neal, along with three young cancer survivors, rang the opening bell at the Toronto Stock Exchange to mark the beginning of Childhood Cancer Awareness Month. Neal, along with volunteers from the Childhood Cancer International and Big Book of Care campaigns, are reminding us to do more so we can build a future free from cancer; that is, to build on the progress achieved at all levels of society and to make new drug research possible so we can ensure a brighter and healthier future for all of our children. That means government, industry, hospitals, research institutes and individual and corporate donors.

As such, I respectfully ask all of us to commit to working tirelessly to ensure we give our children and youth every opportunity to grow and thrive and live in a world that is free from cancer in all its forms. It is my hope that we will soon, for the dream of my hero, Terry Fox, find a cure for all cancers. “Somewhere the hurting must stop.”

#### ADRIENNE NEWPORT

**Miss Monique Taylor:** Today, I proudly rise to speak of a 24-year-old young woman who is standing up in life to make a difference. Her name is Adrienne Newport.

As a child, Adrienne had to wear a bright blue helmet to go to school because she would bash her head on walls and doors, a way of dealing with her frustrations that was misunderstood by many. At a young age, she barricaded herself in her home and attempted to burn it down. Consequently, she was arrested and charged for her actions. She spent time in a psychiatric ward and other institutions where she was restrained and sedated on numerous occasions.

Adrienne wrote a book, co-authored by John A. McCurdy: *The Light That Guides My Way*. She outlines her challenges and sheds light on what it's like to live with fetal alcohol spectrum disorder—FASD for short. Adrienne was born with FASD along with cerebral palsy. Despite her unfair circumstances at birth, improper care

for her needs and mistreatment since a young age, Adrienne has accepted her challenges. She has persevered and she is succeeding.

Adrienne has been working part-time in the administration office at Rygiel Supports for Community Living. She is grateful for the staff and the support of people like Donna Marcaccio, the executive director. She has also earned a community integration certificate from Mohawk College. Her dream is to have a full-time job as a counsellor, a social worker or even a politician, so that she can continue to raise awareness about FASD.

I am grateful that I've had the opportunity to meet Adrienne. I enjoyed reading her book detailing her life journey, and I strongly suggest this read.

#### REFUGEES

**Ms. Daiene Vernile:** This past weekend, the Waterloo chapter of the Muslim Association of Canada invited our community to take part in an event called Embrace Syria, part of a larger national campaign to bring Syrian refugees to our country. Last night, there was a very well-attended rally at Kitchener city hall to raise awareness of the Syrian refugee crisis. Our mayor, Berry Vrbanovic, spoke at the gathering, announcing that our council has committed \$10,000 to the Mennonite Central Committee as it responds to this unprecedented humanitarian crisis. I'm proud to add that our government recently committed \$10.5 million in aid to the resettlement of 10,000 refugees by the end of 2016.

Despite the impulse to see immigrants as a burden to society—this is a notion that is profoundly mistaken. As the daughter of immigrants, I can say with confidence that immigrants built this country. They contribute to the economic prosperity of Ontario and they make our communities more vibrant. We are taking action in Ontario to help Syrian refugees, but we need a federal partner to address our current refugee resettlement policy. We hope that they heed Ontario's call to bring more refugees to Canada by the end of the year. Ontarians care, and I'm heartened to know that the people of my community, Kitchener Centre, do too.

#### NORTH BAY REGIONAL HEALTH CENTRE

**Mr. Victor Fedeli:** Today is an incredibly distressing day in my riding, especially for those people who rely on health services provided at the North Bay Regional Health Centre. Today, a further 158 full-time staff at our hospital learned that their jobs are being cut by this government; more than half of those employees were nurses. This is in addition to the 197 front-line health care workers already cut at this hospital. Again, the majority of them were nurses. Speaker, that's 350 front-line health care workers that are gone.

The Liberal government is also closing 30 beds in North Bay Regional, in addition to the 30 beds they already closed at this five-year-old hospital. This is not only devastating to the front-line health care workers but



more so for their patients, who are now rightfully concerned about access to the quality health care they need and deserve. Just this week we heard that hospital cuts in Ottawa have led to rising readmission rates, negating any supposed savings and negatively impacting access to quality care.

The Liberal government has clearly put self-interest ahead of the health care of northerners. This much I want to make clear, Mr. Speaker: We, the people of Nipissing, will not stand for this. We're fed up with the scandals that leave us to pay the price.

### BEAR CONTROL

**Mr. John Vanthof:** I'd like to take a few seconds to talk about an issue in my riding and throughout the north: bears.

I'd like to read one Facebook message I got from one of my constituents. I think it'll explain the problem: "Hi John, just a note to let you know I called Bear Wise about a bear that has been hanging around my house for about a month now. Let me tell [you] that it's a big joke, and that program should be scrapped and save the taxpayers a ton of money. I live at 72 First Street, Englehart, so there are a few reasons why it cannot be shot; one, because I live in town. I understand that one ... but Bear Wise says that it is because I have a veggie garden and raspberries growing in my yard so I have a food source for it. Does not make sense to me.... Are we not supposed to grow our own food anymore?"

That's the issue that this government is missing. We have people who can't use their backyards, who have to keep their kids inside and who are losing their livelihood. No, their lives aren't being threatened, and you can't call 911 every time you have a bear in your yard, but these bears are in town.

Twenty years ago, the MNR used to do something more than helpful hints. Actually, now people are forced to take matters into their own hands. Believe you me, that's not managing wildlife, because bears are shot every day because they're being treated like vermin instead of game animals, which they actually are.

1510

### EVENTS IN OTTAWA-ORLÉANS

#### ÉVÉNEMENTS DIVERS À OTTAWA-ORLÉANS

**Mrs. Marie-France Lalonde:** It has been a most wonderful summer in Orléans, my first complete one since being elected. It was a special time to be able to travel all around my riding to meet with community members, attend events, and help individuals through meetings in my office. I was honoured to participate on a daily basis in the lives of the people of Ottawa-Orléans. Here are some highlights.

I had the pleasure to speak to students at a few schools about what we do as public representatives. I was also very proud to attend the graduation of the grade 12 students at Sir Wilfrid Laurier high school.

J'ai eu le plaisir aussi de tenir en juin, le Mois des personnes âgées, mon premier Festival annuel des fraises pour célébrer nos aînés et leur famille.

My annual corn roast and barbecue at Petrie Island on the Ottawa River took place in August. It was a most memorable event. More than 150 persons gathered to spend some time with friends and family to taste our local fresh corn.

Overall, un merveilleux été passé à rencontrer et à échanger avec ma communauté. Merci.

**Le Président (L'hon. Dave Levac):** Merci beaucoup.

### HIGHWAY IMPROVEMENT

**Mr. Ted Arnott:** I want to update the House on the progress being made towards the construction of the Highway 6 Morriston bypass. On many occasions in recent years, I have called attention to the need for a highway bypass around the community of Morriston, in the township of Puslinch. Anyone who drives this route regularly knows that there is a traffic bottleneck through Morriston which is often kilometres long.

Mayor Dennis Lever and the council of the township of Puslinch, the county of Wellington, and the Morriston Bypass Coalition have made a strong economic case for the Morriston bypass, and I want to thank them for their effective efforts.

On June 23, at a meeting that my office arranged, we spoke with the Minister of Transportation here at Queen's Park to further impress upon him the worsening congestion problem and the urgency of dealing with it. The minister committed to visiting Puslinch township. True to his words, exactly a month later, on July 23, the minister came to Wellington-Halton Hills. I was glad to welcome him to our area.

Today I call upon the minister to continue his best efforts, urging his colleagues on the government side to support this project as well. The Morriston bypass has been talked about for a generation. The time for talk is over. The very first item on the Legislature's order paper for private members' motions calls upon the minister to place the Highway 6 Morriston bypass on the ministry's five-year plan for new construction, the Southern Ontario Highways Program. Once again, I urge him to do so.

### ROSH HASHANAH

**Mr. Mike Colle:** Mr. Speaker, L'Shana Tova. I rise today to commemorate Rosh Hashanah. In my riding of Eglinton-Lawrence and across this great province, many members of the Jewish faith celebrated Rosh Hashanah over the past few days.

This past Sunday evening marked Rosh Hashanah, the Jewish new year. Rosh Hashanah means "head of the year," and is observed on two days beginning on the first day of the Jewish year. There is a 10-day period of repentance following Rosh Hashanah which ends with Yom Kippur, a day of fasting and atonement. During Rosh Hashanah, Jewish people ask God for forgiveness for the things they've done wrong during the past year. It

also is a time to remind themselves not to repeat these mistakes in the coming year. In this way, Rosh Hashanah is a holiday that helps us to become better people and move forward.

Rosh Hashanah is marked in shul by the blowing of the shofar, a hollowed-out ram's horn. The blowing of the shofar is meant to wake up the soul and turn its attention to the important task of repentance. Sweet foods such as apples dipped in honey, challah, and pomegranates are eaten to symbolize the hope for a sweet new year.

Rosh Hashanah is a time to remember and reflect on the past year as we move into the next.

I want to wish the entire Jewish community in my riding and across Ontario a very happy and meaningful Rosh Hashanah. To all my friends and constituents, L'Shana Tova.

### TASTE OF THE KINGSWAY

**Mr. Peter Z. Milczyn:** Better late than never, as they say.

I'm very pleased to rise in the Legislature this afternoon to share with you about the Taste of the Kingsway festival in my riding of Etobicoke–Lakeshore. Every September, over three memorable days of celebration along Bloor Street, we shut down the street and invite families, friends and neighbours from Etobicoke and beyond to gather at this popular event. True to form, this year the 18th annual festival took place on a weekend with a little bit of rain, but it didn't dampen anyone's spirits.

The show went on with something for everyone: great music, wonderful food, singing, dancing, shopping and three stages of continuous live entertainment. The street was alive with over 200 exhibitors and local vendors, and tens of thousands of people going through the children's midway and, of course, enjoying the Scotiabank dog show. An added bonus to these attendees was that they don't have to drive there; they can walk or take public transit, as many events in our city benefit from having the TTC nearby.

The Kingsway is a vital component of my community of Etobicoke–Lakeshore, a unique neighbourhood of over 250 businesses that has been rated one of the city's top destinations.

Mr. Speaker, I invite you and all other members of the Legislature to come out to the Taste of the Kingsway next year and enjoy another great event.

### INTRODUCTION OF BILLS

#### 1170517 ONTARIO INC. ACT, 2015

Mr. Norm Miller moved first reading of the following bill:

Bill Pr26, An Act to revive 1170517 Ontario Inc.

**The Speaker (Hon. Dave Levac):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Speaker (Hon. Dave Levac):** Pursuant to standing order 86, this bill stands referred to the Standing Committee on Regulations and Private Bills.

### HEALTH INFORMATION PROTECTION ACT, 2015

#### LOI DE 2015 SUR LA PROTECTION DES RENSEIGNEMENTS SUR LA SANTÉ

Mr. Hoskins moved first reading of the following bill:

Bill 119, An Act to amend the Personal Health Information Protection Act, 2004, to make certain related amendments and to repeal and replace the Quality of Care Information Protection Act, 2004 / Projet de loi 119, Loi visant à modifier la Loi de 2004 sur la protection des renseignements personnels sur la santé, à apporter certaines modifications connexes et à abroger et à remplacer la Loi de 2004 sur la protection des renseignements sur la qualité des soins.

**The Speaker (Hon. Dave Levac):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Speaker (Hon. Dave Levac):** The minister for a short statement.

**Hon. Eric Hoskins:** The Health Information Protection Act, which follows up on a commitment that I made this past June, aims to create stronger and more comprehensive protection of health information privacy. It introduces greater accountability and transparency in the health system about privacy breaches and critical incidents. It introduces a renewed provincial electronic health record privacy framework. Taken together, it's an important part of our plan to improve patient care and protect patient safety. It's one more way that our government is putting patients first.

Privacy breaches in Ontario have underscored the need to both ensure that individuals are better protected and that those who breach the privacy of individuals are held accountable. But an accountable health care system is more than that. A system that is accountable and that puts patients first must be transparent in the event of critical incidents, and affected patients and their families must know that steps are being taken to improve the quality of care.

1520

Wrapping up, Mr. Speaker—

**The Speaker (Hon. Dave Levac):** I'm actually not going to permit that wrap-up because it's not taken from the notes inside, the explanatory notes. It's more of a speech than that.

I'm going to remind all members: When you introduce a bill, it should come from the explanatory notes because you have been given time during statements by ministries to give a speech. I'm going to ask that we move on and accept the minister's comments.

I look to the member from Lambton–Kent–Middlesex on introduction of bills.



ESTATE ADMINISTRATION TAX  
FAIRNESS ACT, 2015

LOI DE 2015 CONCERNANT L'ÉQUITÉ  
DE L'IMPÔT SUR L'ADMINISTRATION  
DES SUCCESSIONS

Mr. McNaughton moved first reading of the following bill:

Bill 120, An Act to amend the Estate Administration Tax Act, 1998 / Projet de loi 120, Loi modifiant la Loi de 1998 de l'impôt sur l'administration des successions.

**The Speaker (Hon. Dave Levac):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Speaker (Hon. Dave Levac):** The member for a short statement.

**Mr. Monte McNaughton:** Currently, the Estate Administration Tax Act, 1998, provides that the value of the estate of a deceased person does not include the value of any encumbrance on real property owned by the deceased person. The bill amends the act so that the value of any encumbrance on any property is excluded from the value of the estate. In addition, the value of a bequest or devise made for a charitable purpose is not included in the value of the estate.

The act also changes the amount of estate administration tax payable, starting on the day the bill receives royal assent. For an estate worth \$50,000 or less, the amount of tax payable would be nil. The amount of tax for an estate worth more than \$50,000 is \$5 for every \$1,000 by which the value of the estate is greater than \$50,000 but less than \$100,000, and \$20 for every \$1,000 by which the value of the estate is greater than \$100,000. The maximum amount of tax payable under the new provisions is \$3,250, with the result that no estate bears a greater estate administration tax liability under the new rate structure than it does under the current rate structure.

The bill also repeals amendments made to the act by the Better Tomorrow for Ontario Act (Budget Measures), 2011. Major features of that act are provisions requiring information about estates to be given to the Minister of Finance and provisions relating to the assessment of estates in respect of their estate administration tax payable under the act.

RESIDENTIAL TENANCIES  
AMENDMENT ACT (REHABILITATIVE  
OR THERAPEUTIC PURPOSES  
EXEMPTION), 2015

LOI DE 2015 MODIFIANT  
LA LOI SUR LA LOCATION  
À USAGE D'HABITATION (EXCLUSION  
POUR SERVICES DE RÉADAPTATION  
OU SERVICES THÉRAPEUTIQUES)

Ms. Hoggarth moved first reading of the following bill:

Bill 121, An Act to amend the Residential Tenancies Act, 2006 with respect to the exemption for living

accommodation occupied for the purpose of receiving rehabilitative or therapeutic services / Projet de loi 121, Loi modifiant la Loi de 2006 sur la location à usage d'habitation à l'égard de l'exclusion applicable aux logements occupés pour y recevoir des services de réadaptation ou des services thérapeutiques.

**The Speaker (Hon. Dave Levac):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Speaker (Hon. Dave Levac):** The member for a short statement.

**Ms. Ann Hoggarth:** This bill would amend the Residential Tenancies Act, 2006. The current subclause 5(k)(ii) provides that the act does not apply to certain living accommodations occupied for the purpose of receiving rehabilitative or therapeutic services if the accommodation is intended to be provided for no more than a one-year period. This bill extends this to a three-year period.

**The Speaker (Hon. Dave Levac):** Thank you. Further introduction of bills?

## INTRODUCTION OF BILLS

**The Speaker (Hon. Dave Levac):** Let me make a quick comment on the ruling I just did. It is the practice that we read from the explanatory notes when we're introducing a bill, or a brief statement, because all bills have an opportunity to be spoken to in debate. Particularly in the ministers' cases, they have an opportunity set in routine proceedings which allows them to make a full statement about the bill. The explanatory notes, if they're long, can be condensed. That's part of the practice as well, so it's to be as brief as possible. I ask that all members remember that.

I appreciate your co-operation in that, because it is cause for some debate as to whether or not people are taking advantage of that. I would appreciate your co-operation.

## PETITIONS

### ONTARIO FARMERS

**Mr. Todd Smith:** "To the Legislative Assembly of Ontario:

"Whereas Ontario farmers were prevented from meaningfully participating in government consultations around changes to allowable crop protection tools during the spring of 2015 due to the government scheduling consultations during prime planting season;

"Whereas the regulations the government of Ontario passed on Canada Day severely restrict the use of treated seeds that are of critical importance for grain farmers in preserving their crop yields and these changes are expected to cost Ontario's economy over \$600 million a year;

"Whereas it will be virtually impossible for farmers to access these necessary treated seeds for the 2016 planting

season due to the bureaucratic hurdles being put in place by the province;

"We, the undersigned, call on the Legislative Assembly of Ontario to urge the government of Ontario to suspend the class 12 regulations that were passed on July 1, 2015, to allow for farmers to plant in 2016, as they did in 2015; to allow for meaningful dialogue on the regulations, their intent and other approaches to achieving the same end, that won't devastate farmers in the province."

I agree with this, will sign it and send it to the table with page Siena.

### GASOLINE PRICES

**M<sup>me</sup> France Gélinas:** I have this petition that was sent to me by Diane MacDonald from Hanmer in my riding, and I have thousands and thousands of names. It reads as follows:

"Whereas northern Ontario motorists continue to be subject to wild fluctuations in the price of gasoline; and

"Whereas the province could eliminate opportunistic price gouging and deliver fair, stable and predictable fuel prices; and

"Whereas five provinces and many US states already have some sort of gas price regulation; and

"Whereas jurisdictions with gas price regulation have seen an end to wild price fluctuations, a shrinking of price discrepancies between urban and rural communities and lower annualized gas prices;"

They petition the Legislative Assembly of Ontario to:

"Mandate the Ontario Energy Board to monitor the price of gasoline across Ontario in order to reduce price volatility and unfair regional price differences while encouraging competition."

I fully support this petition, will affix my name to it and ask Kelly to bring it to the Clerk.

### LUNG HEALTH

**Mr. Granville Anderson:** "To the Legislative Assembly of Ontario:

"Whereas lung disease affects more than 2.4 million people in the province of Ontario, more than 570,000 of whom are children. Of the four chronic diseases responsible for 79% of deaths (cancers, cardiovascular diseases, lung disease and diabetes) lung disease is the only one without a dedicated province-wide strategy;

"In the Ontario Lung Association report, Your Lungs, Your Life, it is estimated that lung disease currently costs the Ontario taxpayers more than \$4 billion a year in direct and indirect health care costs, and this figure is estimated to rise to more than \$80 billion seven short years from now;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To allow for deputations on MPP Kathryn McGarry's private member's bill, Bill 41, the Lung Health Act, 2014, which establishes a Lung Health Advisory Council to make recommendations to the Minister of Health and

Long-Term Care on lung health issues and requires the minister to develop and implement an Ontario Lung Health Action Plan with respect to research, prevention, diagnosis and treatment of lung disease; and

"Once debated at committee, to expedite Bill 41, Lung Health Act, 2014, through the committee stage and back to the Legislature for third and final reading; and to immediately call for a vote on Bill 41 and to seek royal assent immediately upon its passage."

Mr. Speaker, I support this bill and will affix my signature.

1530

### TAXATION

**Mr. Jim McDonell:** I have a petition to the Legislative Assembly of Ontario:

"Whereas new requirements for estate administration tax filing require estate executors to file a significant amount of documentation within 90 days of the estate owner's death; and

"Whereas the information demanded by the Ministry of Finance requires the collection of significant supporting evidence; and

"Whereas the time required to obtain and verify such documentation may be longer than 90 days; and

"Whereas the new regulations do not allow executors to make a preliminary filing in good faith, despite the significant penalties for any errors or omissions; and

"Whereas these new regulations will negatively impact all estates in Ontario and act as a significant deterrent to serving as an estate executor;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To significantly extend the filing deadline for estate administration tax purposes and allow for preliminary filings in cases where the executor is unable to obtain the required supporting documents prior to the deadline."

I agree with this and will be passing it off to page Matthew.

### MISSING PERSONS

**Ms. Catherine Fife:** "To the Legislative Assembly of Ontario:

"Whereas Ontario does not have missing persons legislation; and

"Whereas police are not able to conduct a thorough investigation upon receipt of a missing person report where criminal activity is not considered the cause; and

"Whereas this impedes investigators in determining the status and possibly the location of missing persons; and

"Whereas this legislation exists and is effective in other provinces; and

"Whereas negotiating rights to safety that do not violate rights to privacy has been a challenge in establishing missing persons law;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:



"We ask that the Attorney General's office work with the office of the privacy commissioner to implement missing persons legislation that grants investigators the opportunity to apply for permissions to access information that will assist in determining the safety or whereabouts of missing persons for whom criminal activity is not considered the cause."

It is my pleasure to affix my signature to this petition and give this to page Kelly.

### HEALTH CARE

**Mr. Rick Nicholls:** "To the Legislative Assembly of Ontario:

"Whereas providing patients with access to information about their medical doctor's treatment history is fundamental to regulating the medical profession and ensuring Ontario's health-care system is accountable and transparent;

"Whereas currently, Ontario patients do not have access to this information, which is also an important measure to improve patient safety and empower them when making decisions about medical treatment;

"Whereas making public all information about complaints, cautions and remedial action taken against a physician does not diminish the College of Physicians and Surgeons' ability to self-regulate, but rather brings balance to the relationship between doctors and patients;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Minister of Health and Long-Term Care act immediately to implement the transparency and accountability measures contained in Bill 29, An Act to amend the Medicine Act, 1991."

Speaker, I approve of this petition and I will affix my signature and give it to page Siena.

### MENTAL HEALTH AND ADDICTION SERVICES

**Ms. Teresa J. Armstrong:** "To the Legislative Assembly of Ontario:

"Whereas mental illness affects people of all ages, educational and income levels, and cultures; and

"Whereas one in five Canadians will experience a mental illness in their lifetime and only one third of those who need mental health services in Canada actually receive them; and

"Whereas mental illness is the second leading cause of human disability and premature death in Canada; and

"Whereas the cost of mental health and addictions to the Ontario economy is \$34 billion; and

"Whereas the Select Committee on Mental Health and Addictions made 22 recommendations in their final report; and

"Whereas the Improving Mental Health and Addictions Services in Ontario Act, 2015, seeks to implement all 22 of these recommendations;

"We, the undersigned, petition the Legislative Assembly of Ontario to pass the Improving Mental Health and Addictions Services in Ontario Act, 2015, which:

(1) Brings all mental health services in the province under one ministry, the Ministry of Health and Long-Term Care;

(2) Establishes a single body to design, manage and coordinate all mental health and addictions systems throughout the province;

(3) Ensures that programs and services are delivered consistently and comprehensively across Ontario;

(4) Grants the Ombudsman full powers to audit to audit or investigate providers of mental health and addictions services in Ontario."

I sign this petition and give it to page Krishaj.

### LUNG HEALTH

**Mr. Peter Z. Milczyn:** I have a petition to the Legislative Assembly of Ontario.

"Whereas lung disease affects more than 2.4 million people in the province of Ontario, more than 570,000 of whom are children. Of the four chronic diseases responsible for 79% of deaths (cancers, cardiovascular diseases, lung disease and diabetes) lung disease is the only one without a dedicated province-wide strategy;

"In the Ontario Lung Association report, Your Lungs, Your Life, it is estimated that lung disease currently costs the Ontario taxpayers more than \$4 billion a year in direct and indirect health care costs, and this figure is estimated to rise to more than \$80 billion seven short years from now;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To allow for deputations on MPP Kathryn McGarry's private member's bill, Bill 41, the Lung Health Act, 2014, which establishes a Lung Health Advisory Council to make recommendations to the Minister of Health and Long-Term Care on lung health issues and requires the minister to develop and implement an Ontario Lung Health Action Plan with respect to research, prevention, diagnosis and treatment of lung disease; and

"Once debated at committee, to expedite Bill 41, Lung Health Act, 2014, through the committee stage and back to the Legislature for third and final reading; and to immediately call for a vote on Bill 41 and to seek royal assent immediately upon its passage."

I support this petition and affix my signature to it and hand it to page Duha.

### DOG OWNERSHIP

**Ms. Sylvia Jones:** My petition is to the Legislative Assembly of Ontario.

"Whereas aggressive dogs are found among all breeds and mixed breeds; and

"Whereas breed-specific legislation has been shown to be an expensive and ineffective approach to dog bite prevention; and

"Whereas problem dog owners are best dealt with through education, training and legislation encouraging responsible behaviour;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To repeal the breed-specific sections of the Dog Owners' Liability Act (2005) and any related acts, and to instead implement legislation that encourages responsible ownership of all dog breeds and types."

I support this petition and give it to page David to take to the table.

### CONCUSSION

**Ms. Catherine Fife:** "To the Legislative Assembly of Ontario:

"Whereas the rate of concussions among children and youth has increased significantly from 2003 to 2011, from 466 to 754 per 100,000 for boys, and from 208 to 440 per 100,000 for girls; and

"Whereas hard falls and the use of force, often found in full-contact sports, have been found to be the cause of over half of all hospital visits for pediatric concussions; and

"Whereas the signs and symptoms of concussions can be difficult to identify unless coaches, mentors, youth and parents have been educated to recognize them; and

"Whereas preventative measures, such as rules around return-to-play for young athletes who have suspected concussions, as well as preventative education and awareness have been found to significantly decrease the danger of serious or fatal injuries; and

"Whereas Bill 39, An Act to amend the Education Act with respect to concussions, was introduced in 2012 but never passed; and

"Whereas 49 recommendations to increase awareness, training and education around concussions were made by a jury after the coroner's inquest into the concussion death of Rowan Stringer;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ontario government review and adopt Rowan's Law to ensure the safety and health of children and young athletes across the province."

It's my pleasure to affix my signature.

### HYDRO RATES

**Mr. John Yakubuski:** To the Legislative Assembly of Ontario:

"Whereas household electricity bills have skyrocketed by 56% and electricity rates have tripled as a result of the Liberal government's mismanagement of the energy sector;

"Whereas the billion-dollar gas plants cancellation, wasteful and unaccountable spending at Ontario Power Generation and the unaffordable subsidies in the Green Energy Act will result in electricity bills climbing by another 35% by 2017 and 45% by 2020; and

"Whereas the Liberal government wasted \$2 billion on the flawed smart meter program; and

"Whereas the recent announcement to implement the Ontario Electricity Support Program will see average household hydro bills increase an additional \$137 per year starting in 2016; and

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"Whereas the soaring cost of electricity is straining family budgets, and hurting the ability of manufacturers and small businesses in the province to compete and create new jobs; and

"Whereas home heating and electricity are a necessity for families in Ontario who cannot afford to continue footing the bill for the government's mismanagement of the energy sector;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to immediately implement policies ensuring Ontario's power consumers, including families, farmers and employers, have affordable and reliable electricity."

Speaker, I support this petition, will affix my signature to it and send it down with Krishaj.

### LUNG HEALTH

**Mrs. Cristina Martins:** I rise today to read the following petition addressed to the Legislative Assembly of Ontario:

"Whereas lung disease affects more than 2.4 million people in the province of Ontario, more than 570,000 of whom are children. Of the four chronic diseases responsible for 79% of deaths (cancers, cardiovascular diseases, lung disease and diabetes) lung disease is the only one without a dedicated province-wide strategy;

"In the Ontario Lung Association report, Your Lungs, Your Life, it is estimated that lung disease currently costs the Ontario taxpayers more than \$4 billion a year in direct and indirect health care costs, and this figure is estimated to rise to more than \$80 billion seven short years from now;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To allow for deputations on MPP Kathryn McGarry's private member's bill, Bill 41, the Lung Health Act, 2014, which establishes a Lung Health Advisory Council to make recommendations to the Minister of Health and Long-Term Care on lung health issues and requires the minister to develop and implement an Ontario Lung Health Action Plan with respect to research, prevention, diagnosis and treatment of lung disease; and

"Once debated at committee, to expedite Bill 41, Lung Health Act, 2014, through the committee stage and back to the Legislature for third and final reading; and to immediately call for a vote on Bill 41 and to seek royal assent immediately upon its passage."

Mr. Speaker, I agree with this petition, will affix my name and send to the table with page Anna.



**ORDERS OF THE DAY****PROTECTING CONDOMINIUM  
OWNERS ACT, 2015****LOI DE 2015 SUR LA PROTECTION  
DES PROPRIÉTAIRES  
DE CONDOMINIUMS**

Resuming the debate adjourned on September 15, 2015, on the motion for second reading of the following bill:

Bill 106, An Act to amend the Condominium Act, 1998, to enact the Condominium Management Services Act, 2015 and to amend other Acts with respect to condominiums / *Projet de loi 106, Loi modifiant la Loi de 1998 sur les condominiums, édictant la Loi de 2015 sur les services de gestion de condominiums et modifiant d'autres lois en ce qui concerne les condominiums.*

**The Acting Speaker (Mr. Paul Miller):** When we last discussed this, the member from Bramalea-Gore-Malton had the floor. He now has the floor.

**Mr. Jagmeet Singh:** Thank you very much, Mr. Speaker. I appreciate the opportunity to continue my remarks.

Where we left off: We were talking about some of the beneficial steps, some of the improvements that Bill 106 will provide. It addresses a number of concerns, particularly where it comes to some of the major issues that arise for condominium owners. One of the issues that I talked about that I think is very important is that there is a tribunal mechanism. If there are disputes, if there are concerns between the condominium owner and the board, there is a remedy, which is a positive sign.

But I want to reiterate one of my concerns. Although there are disputes between the condominium owner and the board, and it is important to provide a tribunal that allows for those issues to be remedied, one of the major sources of complaints is between the condominium owner and the developer, and the condominium owner and the condominium manager. However, those two categories were left out of this tribunal process. That's very concerning.

It seems to me that if you have already struck the tribunal, it would only make sense to make sure that all the players involved are incorporated into the tribunal mechanism. It only makes sense that if a condominium owner wants to raise a complaint, they should be able to raise all of their complaints in that tribunal. Now, the way the system works is that you can raise some complaints to this tribunal when it comes to your condominium board, but if it's a developer issue or if it's a condominium manager issue, you have to go to court.

We all know how difficult it is to go to court, to navigate the court system, how costly it could be and how difficult it could be for someone who doesn't understand the court system or is not familiar with it. Often it's so cost-prohibitive that people are loath to go to the courts, and they are left without any remedy or any solution to their problem. So that's a big concern.

The other area I touched on—and I want to go into more detail on this area; I have some other sources and other folks, and I would like to add their voices to this issue. With condominiums being newly built homes, one of the major concerns that has arisen when it comes to condominiums in general is that we all know that a home, whether it's a condo, a townhouse or a freehold house—these are some of the most valuable assets in a person's life. In a consumer's life, this is probably the most expensive single purchase they will make, and it is very important that they have peace of mind when they make this purchase.

The government has created a home warranty system, and this home warranty system, although it's private and not-for-profit and although it's not owned by the government, essentially the government mandated that Tarion is the only source of a warranty. It's the only place you can go to for a warranty, and in fact you have to have a warranty if you purchase a new home. It seems to make sense for such a valuable asset to have a warranty, but when you require that there's only one place to go—you have to go to it—and that entity is not providing good service, the government has a responsibility to have oversight over this entity.

Though it may be private, essentially it is operating solely because of the mandate the government provided. If the government hadn't said that, by law, you must purchase your home warranty through Tarion—if they didn't mandate that by law—then Tarion would essentially have no source of revenue or very little source of revenue or a questionable source of revenue. It's solely operating based on that mandate and, in effect, it is being operated on public dollars. Because it is operating on public dollars, it should be open to the same scrutiny we apply to other arm's-length agencies that work because of the taxpayer dollar. However, in this case, Tarion is not under any scrutiny. It's not under Ombudsman oversight, nor is it something that is accessible by the Auditor General.

Alan Shanoff, who was previously counsel to Sun Media Corp., a freelance writer who also teaches media law at Humber College, wrote for the *Law Times* and got into this issue regarding Tarion. I'd like to quote Mr. Shanoff's article. He very clearly summarizes the situation: "The government doesn't fund Tarion, which instead relies on mandatory fees passed on to and paid by new home purchasers as well as builder registration and renewal fees and investment income. In other words, it's really the public that funds Tarion's operations. Although it receives no government funding, all of Tarion's revenue comes from its legislated mandate."

In that type of circumstance, when its entire source of revenue essentially comes from the public and it has no scrutiny, no oversight, that is a recipe for serious problems.

Condominium owners, like all homeowners, purchase this very valuable asset and want to ensure that the asset they've purchased has some protection. They're given this supposed peace of mind that there's a warranty, that

if there's any issue with building code compliance, if there's any issue with the unit's manufacturer or the manufacture of the various components of it—if there's an issue with the way the kitchen is set up, the kitchen cabinets, the flooring—if there are issues with this unit, there is a remedy. You can go to the home warranty and make a claim.

But the problem—back to Mr. Shanoff's article—the concern is that when we look at Tarion's operations, in 2013 it collected \$33.9 million in new home enrolment fees. It also earned \$3.2 million in builders' registration and renewal fees. In addition, when you include investment income, "its total revenue for the year was \$71 million." However, Tarion, in light of earning or bringing in \$71 million, only paid out \$7.3 million to homeowners for warrantable claims made where the builders were unable to resolve the issue. As it stands, the total equity at December 31, 2013, was \$216 million. The community has essentially paid 216 million taxpayer dollars into this—consumers have paid into this—yet there's absolutely no scrutiny. There's no Ombudsman oversight, and there's no access to the Auditor General.

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Now, this is an issue that has been raised a number of times. The previous Ombudsman raised this issue, received almost 300 complaints about Tarion, ranging from 2007 to 2013, and stated that he "long believed that Tarion lacks proper oversight." In addition to the previous Ombudsman, former Ombudsman Daniel Hill also recommended that Tarion fall under the Ombudsman office's oversight. This was in 1986. MPP Rosario Marchese specifically tabled bills on this issue to reform Tarion in 2010, in 2011 and most recently in 2012.

There have been a number of people who have raised concerns around this issue, from ombudsmen to sitting members of provincial Parliament, and there has been nothing done to reform Tarion. At a minimum, Tarion needs to receive some serious oversight. All of these concerns were raised from the ombudsmen, were raised by the MPPs. All of these concerns for reform were around oversight and accountability, but the fact is that there is no oversight with respect to the Auditor General and there is no oversight with respect to the Ombudsman's office. These are two specific requests that have been made time and time again, and there has been nothing to reform these two requests. It's a fact. At this point in time, there is nothing that has been done with respect to those issues.

I would implore the government to take a step. This is a serious issue, this is an important issue, and the government is very well within its mandate to be able to address this issue, to look at the books. We've asked time and time again to look at where our dollars are going. Is there appropriate value for money; are consumers receiving the best protection possible; are there inappropriate activities going on or not; and, given the evidence in terms of the revenues coming in and the claims going out, is this fair, is it appropriate and are consumers getting the best service? These are questions that people

are asking and there are no answers provided, and there hasn't been sufficient oversight.

The Canadians for Properly Built Homes also raised this concern, and they've raised concerns with respect to Tarion a number of times. Most recently, they raised an issue—they had a news release on June 1, 2015. They're urging the government to pass Bill 60. Bill 60, again, builds on the great work of MPP Rosario Marchese but looks toward improving Tarion oversight and accountability. The Canadians for Properly Built Homes specifically indicate that, using Tarion's own client survey data, approximately 60,000 Ontario families are dissatisfied with the service they received from Tarion. That's a significant number.

**Mr. Randy Hillier:** And it keeps growing.

**Mr. Jagmeet Singh:** And, as my colleague states, it keeps growing, Mr. Speaker; it keeps growing. There are more and more people who are upset about what is going on.

The Canadians for Properly Built Homes also raised concerns around the accumulated wealth that Tarion has, where the oversight is, the accountability of where that wealth is going and where it's being used. Essentially, there is no consumer protection with respect to this issue. People are upset, and they're not seeing any real action.

So it's one thing to raise the concern; now I'm going to provide some clear suggestions. I proposed a bill—and again I built on the great work of other members. One of the first steps we need to do is look at the overall framework of Tarion. One of the first steps is that if we know that essentially all of the revenue that comes into Tarion comes from the public, then one of the requirements, that I've asked for in Bill 60, is that Tarion be included on the sunshine list—there would be public salary disclosure and that it would apply to Tarion. It would be the start of uncovering whether or not things are going on in an appropriate manner or not.

I'll just remind the government that in one of the most recent scandals, the Ornge scandal, the key to unlocking this scandal—and this question was posed a number of times and specifically answered by the Minister of Health at the time. One of the keys to unlocking the scandal in Ornge was the salary of Dr. Mazza. Once that salary got disclosed, that it had risen to over \$1 million, there were some serious red flags. That question about salary was posed by the NDP numerous times in committee, years before the scandal broke. This question about salary continued on to requests through the disclosure-of-information requests that were made, freedom-of-information applications that were made to obtain the salary.

These requests, again, landed on deaf ears. No one responded and we did not have that answer. It was only after the great investigative work from various media agencies that we were able to uncover this salary, and then we realize that there were some serious problems with Ornge and the way it was conducting its business: that it was mixing for-profit and not-for-profit agencies in a way that was inappropriate, and that the service quality was seriously at risk.



We have another potential Ornge on our hands. We have an agency that provides an important service but has no accountability, in effect, and has no real oversight. The government is not taking any actions to provide that oversight and that accountability. Without that, perhaps this will turn into another Ornge. Instead of it being an issue that lands on the front page of a newspaper, perhaps the government can take this opportunity, now that this issue has been raised again and again, and perhaps they can take the step now to proactively address the situation and find out if there is a serious concern; address it now, instead of waiting years from now when someone else will come back and quote the member from Bramalea-Gore-Malton for having raised this issue in Parliament.

In addition to the issues around accountability, the other concern about Tarion is that its purpose is to provide protection for homeowners. If that's its purpose, then it should be clearly listed in terms of its mandate; it should be clearly listed in terms of its mission. Most importantly, its membership, the board of Tarion, should be made up of people who actually will advance that initiative.

Tarion doesn't only act as a home warranty; in effect, it acts as a form of regulator over the builders. However, the membership of the board is comprised of primarily the very same industry which it seeks to regulate. That, inherently, is a problem. If Tarion is supposed to regulate an industry and if it's supposed to provide protection to the consumer, to the homeowner, then its board should reflect that membership. The membership of the board should reflect that. The membership of the board should reflect people who are homeowners, who are members of homeowner associations, people who are affiliated with protecting consumer rights.

As it stands, Mr. Speaker, the membership of the board is actually comprised of agencies and individuals that are related to the construction industry. While we respect the construction industry as an important, vital sector in our economy, and it provides a vital service towards building homes, it doesn't make sense that the regulator of this industry be comprised of people from that industry itself. It just doesn't make sense. That's something that we also question. We want the government to address that as well, and Bill 60 looks to address that issue.

We have an opportunity now; the government has taken an appropriate step and a good step to addressing the issues around condominium owners. We've seen a serious lack of oversight in terms of the condominium industry, resulting in some serious issues. Many of the members are familiar with the glass-falling circumstances that occurred with condominiums, which resulted in a lot of the pressure placed on this government now to take the steps that we see with Bill 106. But we've only just scratched the surface with this bill, and there's a lot more that can be done.

With respect to the condominium authority, though the condominium authority is a good idea—and I applaud the government for ensuring, right off the bat, that the

condominium authority is something that is open to Auditor General scrutiny; that is an appropriate decision that makes sense. But if you can do it with the condominium authority that the government is creating through this bill, why can't you then also have that same accountability and oversight with Tarion?

I just cited some of the dollars and figures. If you look at Tarion in terms of its resources, how much money is involved in Tarion, and you compare that with the potential condominium authority, it's light-years apart. You have one agency, which is just going to start—which will not have nearly the same revenue, won't have nearly the same amount in terms of asset—receiving the highest level, the gold standard, of oversight and accountability, and you have another agency, which has 100 times more assets in terms of revenue, and it's receiving essentially zero oversight from this government.

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In fact, when it comes to the oversight and the relationship between the government and Tarion, though the previous Ombudsman did not have the mandate to actually investigate Tarion directly, the Ombudsman did have the authority to investigate the relationship between the government of Ontario and Tarion, and did so, did evaluate this relationship. In 2008, the then Ombudsman released a report which criticized the ministry for its failures concerning Tarion. So it's important that that be noted as well. It has not only been raised by members of provincial Parliament, but the Ombudsman also raised this issue, issued a report on this issue and, in fact, criticized the government's handling of this file. It's important that this issue be highlighted again.

So while the tribunal is a good step and while it is an important measure, in terms of a remedy for those condominium owners who are concerned, it shows us that the government is capable of providing oversight in that area. It should be able to provide the same accountability with respect to Tarion.

Now, I raise this issue, and I want to go into some more depth on this, with respect to the way that the tribunal will be set up. This is a question about the manner in which the government is bringing bills forward. Much of the details around the tribunal—the way the tribunal is going to work in terms of its mechanism, the way it is going to unfold—are left to regulation. Any time you leave details, and a great deal of details, to regulation, it limits the ability of the opposition to be able to provide insight into this bill. If everything is going to be left to the minister to provide in regulation, then the bill becomes less wholesome in terms of what we can say and provide input to. So while the tribunal looks good, I don't have any of the real details around the mechanism, the way it's going to operate and the way it's going to unfold. Those details are only going to be—

**Hon. Tracy MacCharles:** Point of order.

**The Acting Speaker (Mr. Paul Miller):** A point of order, the Minister of Children and Youth Services?

**Hon. Tracy MacCharles:** I've been listening very closely to these very in-depth comments about Tarion,

and I appreciate hearing the member's point of view, but this is about the condominium act before us, not specifically about Taron. So I would ask, through the Speaker, that we get back to the bill at hand. Thank you.

**The Acting Speaker (Mr. Paul Miller):** Well, with all due respect to the minister, I think he's trying to do a comparative analysis between the two. If I think he strays too far, I will certainly bring him back to where he should belong.

**Mr. Jagmeet Singh:** Thank you, Mr. Speaker.

Actually, Minister, right now, through Mr. Speaker, I was speaking about the tribunal. The tribunal is something that's actually in this legislation. I implore the minister to take a look at it.

Just to repeat, the way the tribunal is set up is that the actual mechanism of the tribunal is going to be laid out in regulation. When we don't have it all in the legislation, and instead it's in the regulation, it limits our ability to provide insight into it. That's what I just said. So through you, Mr. Speaker, I ask that those listening should pay attention to the details of the comments.

**Mr. Randy Hillier:** I agree.

**Mr. Jagmeet Singh:** Thank you.

With respect to the other areas of this bill—where this bill provides some strong protection and where we need to strengthen some further protection—one of the areas that I touched on earlier in the speech, and I think it is something we really need to highlight, is that there is a great need for consumer protection, in terms of what the buyer is provided with at the time of sale and what they receive once the sale is completed. That's something that this act looks to address, but we need to address it in more detail.

For example—and I touched on this and I think it's something we need to touch on a bit more. When you purchase a condominium, the way the current legislation protection works is that the unit itself—if you're promised a certain type of flooring and pay for that flooring, you're promised a certain type of wall, a certain type of amenities and a certain upgrade in the kitchen or the appliances, those items in your actual unit are very specifically protected in the agreement. So if there is a significant variation, if you purchase something and the square footage is 700 or 800 square feet and you receive something that's 500 square feet, you will be protected. That's something that's very closely scrutinized, and that's important.

But the areas that don't receive the same level of protection are the common elements, and I think that's important to note. In a condominium, often the selling point or the point that really pulls someone in is the fact that when you're purchasing a condominium, you're receiving a whole host of other amenities, and that's something that condominium homeowners look towards. They look at and they assess, "Okay, maybe I'm getting a smaller room, maybe the square footage of my actual unit will be smaller, but this condominium will have a large party room the residents will have access to. If I know that I have access to this party room, a common area, a

common room where I can come to, then I can make do with a smaller condominium. I can make do with that because I know I'll have a larger space to entertain my guests."

Now, that's something important to somebody and if the developers say up front that you're going to get a 10,000-square-foot common area, recreation space, as well as a patio where you can be outdoors and barbecue, and that's something important to you, and then when you purchase the unit, you get the unit you were looking for, the unit that you were told, but the party room, which was supposed to be 10,000 square feet, turns out to be a closet and has maybe room for 10 people, that's no longer what you were promised. That has a serious impact. These are things that have happened to people.

People often look at condominiums and they look at some of the resources that are available and they say, "Perhaps I don't need a gym membership because the condominium will have a gym in it." That's something that the developer will sell: "Listen. We'll have a state-of-the-art gym. We'll have all the weights you need, we'll have all the equipment you need. You don't even need a gym membership; you'll save on that." So perhaps you look at your condominium fees, which seem a bit high, and say, "Well, I can knock off the cost of a gym membership and I can incorporate that into my costs and say that it makes some sense. I'll purchase this unit." Then when you go and get the unit, instead of this world-class gym facility, you see a treadmill and an exercise ball and you're thinking, "I could have put that in my own unit," that's a problem. So it's important that those common elements that you may not, at the top of mind, think are as relevant, in a condominium purchase they are absolutely relevant and they need to be protected.

If a consumer is provided with a certain detail around what the common element will be, then that should actually be what they get. That's an important area of protection that is lacking in this bill at this point in time, but it's something I'm sure we can include and I implore the government to address that concern.

Just with my time remaining I want to look at, again, the manner in which the government approached this situation or this reform. Two issues: One is the lack of speed with addressing this concern. Condominiums experienced a great boom. A lot of condominiums were built and during that time when many condominiums were built, many condominium owners didn't receive adequate protection. Issues were raised by the government very slowly to provide adequate protection. That's an issue or area of concern.

The government has a responsibility to address and be flexible to the changing demographics and the changing realities, and when condominiums started increasing in terms of an option for people—right now, there are 1.3 million people living in condominiums. That's the same size as an entire province; Saskatchewan and Manitoba are about the same size in population. So this is a serious demographic and it needs to receive some serious protection.



The other last area I want to touch, just in closing, is that when the government consulted on this, the government failed to consult with actual condominium owners and instead consulted with a host of other experts in the field. But if you're seeking to create a bill that protects the condominium owner and there's only one member of that panel—and this is the fact—that could be considered to be associated with any condominium-owning association and the rest of the board was comprised of construction-side and developer side individuals, that doesn't seem to me the appropriate way to set up a bill which is seeking to reform condominiums and protect condominium owners. It's not the way to do it.

So I ask the government that—you have a great opportunity now to provide real protection to condominium owners, to consumers. And it doesn't have to be just condominium owners. If you reform Taron, you could provide real protection to all homeowners.

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**The Acting Speaker (Mr. Paul Miller):** Questions and comments?

**Hon. Tracy MacCharles:** It is a great pleasure to speak about this bill, which I introduced in the last session. It's a very important bill, because we know that about one in 10 Ontarians lives in a condominium, and we know that over half of new builds in Ontario are condominiums. This legislation is in need of an overhaul, for sure.

Let's talk about what this bill will do. What will this bill actually do? It will increase protections for condo owners who are purchasing a condo. It will require condo managers to be licensed. It will create new governance requirements for condo boards. It will strengthen the financial stability of condo buildings. It will establish a modern, cost-effective dispute resolution system.

I really want to emphasize in this debate that this legislation is based on over 2,200 recommendations made by, yes, condo owners, condo managers, developers and experts. Yes, the ministry does receive a number of complaints and inquiries a year about condo issues, and that's why we're bringing this forward again.

Some of the concerns from consumers relate to an increase in condo fees, major financial decisions being made without an owner's consent and courts being required to appoint an administrator to look after buildings in financial crisis. These are real, big issues that will be and can be addressed by this legislation. Some of these things, quite frankly, lead to declines in property values, and that's not good. If we pass this legislation, we'll have stronger consumer protection, a condo authority that would have oversight of the sector with quicker, lower-cost dispute resolutions than are currently available today, and instead of spending a lot of time in legal battles, there will be earlier opportunities for resolution.

This is strong legislation that will protect consumers in Ontario.

**The Acting Speaker (Mr. Paul Miller):** Questions and comments?

**Mr. Randy Hillier:** It's a pleasure to add some more remarks to the member from Bramalea-Gore-Malton. There's not much that I would disagree with the member on. He laid out a good framework of what the problems are with delegated administrative authorities. He used the example of Taron, which is a delegated administrative authority that has little or no oversight, no scrutiny by any independent officer of the House or ourselves. He also mentioned, very importantly, that many of the operations that will result from this bill will be done through regulations, which, again, nobody in this House will have any scrutiny over.

Where I take a bit of an exception here is this: This bill will create a new delegated administrative authority. This delegated authority will also have tribunal functions, which not all of them have, so this will be a licensing body as well as an adjudicative body. To have those functions wrapped up in a subordinate body of the Legislature that has no scrutiny over it, no oversight of it—I think we're living in a bit of a dream world if we believe that we are going to achieve the results that we want to achieve of having expeditious, efficient, low-cost remedies to disputes. We won't be able to actually look into what they're doing. We won't be able to see what the due process, what the rules of that tribunal will be. We won't even be able to see what the statistics and the data are for complaints registered, complaints remedied or the cost.

**The Acting Speaker (Mr. Paul Miller):** The member from Kitchener—Waterloo.

**Ms. Catherine Fife:** It's a pleasure to rise and comment on the one-hour lead that the member from Bramalea-Gore-Malton gave to Bill 106, Protecting Condominium Owners Act, 2015. I think the theme of where he was going with the criticism of this piece of legislation is that yes, there was consultation and that is good. Condo owners have wanted for a long time to be listened to by this government. You must remember that former member Rosario Marchese first made the introduction of these changes back in March 2007. This is a long-standing issue.

It would appear that, as with a lot of pieces of legislation that come before this House, there's a missed opportunity to make this legislation even stronger. It's almost as if the legislation was crafted, and then they let the developers have a little go at it and cut out some of the more important pieces that would actually protect consumers who are condo owners.

I think the other point that the member from Bramalea-Gore-Malton made which actually resonates with us on this side of the House, because we've seen this time and time again, is that too much of this legislation is left to regulation. You can't blame us for having some trust issues with this government when legislation passes through this House and then the minister has carte blanche to change it. It actually negates this kind of debate. This should be an exercise in strengthening a piece of legislation. That has been the tradition of this Parliament. That has been a long-

standing tradition of a democracy. When you leave too much to a minister just to take a red pen and cut out major components of a piece of legislation, then it is our responsibility, as representatives of our communities, to bring that to the floor of this Legislature. I think the member, being a lawyer, fully understands what that means.

**The Acting Speaker (Mr. Paul Miller):** The member from Davenport.

**Mrs. Cristina Martins:** It gives me great honour to rise here in the House this afternoon to speak on this bill, Bill 106, the Protecting Condominium Owners Act, especially when we think about Ontarians and where they're living these days. About one in 10 Ontarians now live in condominiums. That's 1.3 million people across the province of Ontario living in condos, and more than 50% of new homes that are being built in Ontario are condos. Currently, there are 700,000 condo units in Ontario, and 51,000 more are under construction, with many of these condos being built in my own riding of Davenport.

Condos also represent about half of the new homes being built in this province, in a housing sector worth almost \$45 billion and employing more than 300,000 Ontarians. The government received about 2,200 submissions through its consultation on the Condominium Act, so it was an extensively consulted piece of legislation. The existing Condominium Act was passed more than 16 years ago. Since then, we can agree that the condominium landscape in Ontario has changed drastically.

That's why it is important that we, as a government, are putting this act forward to protect the owners of condominiums; and it will improve and provide protection for Ontario's 1.3 million condo owners. If passed, this legislation would increase protection for the condo owners and Ontarians purchasing a condo. It would require condominium managers to be licensed; create new governance requirements for condo boards, strengthening the financial sustainability of condo buildings; and establish a modern, cost-effective dispute resolution system.

Mr. Speaker, I totally agree with the passage of this act. I think it is exactly what we're needing for all of the condos owners across this province and in my riding of Davenport.

**The Acting Speaker (Mr. Ted Arnott):** The member from Bramalea–Gore–Malton has two minutes.

**Mr. Jagmeet Singh:** I want to thank all the members who responded in the questions and answers. I want to thank the Minister of Children and Youth Services. Thank you for your comments.

**Hon. Tracy MacCharles:** And Women's Issues.

**Mr. Jagmeet Singh:** And Women's Issues as well. Thank you to the member from Lanark–Frontenac–Lennox and Addington, especially for the long riding name. Thank you to my colleague the member for Kitchener–Waterloo, and thank you to the member from Davenport.

One of the comments that came up—and I think it is important to note that the member from Lanark–

Frontenac–Lennox and Addington brought up issues around the way the tribunal would be set up. I echo those same concerns, because many of the actual details around the mechanism of the tribunal are left to regulation. That's concerning.

I am encouraged, though, by the fact that the tribunal will have, in law, Auditor General oversight. But I'm also cognizant of the concern that was raised by my honourable colleague that perhaps we should also include—maybe I'll take out the “perhaps”; we should also include oversight by the Ombudsman to provide real accountable and transparency. That's one additional oversight piece that I think is important.

1620

I think in general, though, it is a step forward. It's a great opportunity to provide real reform and real protections to consumers. Like we've said—and many people have all echoed this—condominiums are moving, more and more, to be a primary choice for many homeowners. If not the ultimate choice, it's still the first choice, because it's more affordable. Many people decide to move into a condominium first.

Whether it's a condominium or a townhouse or a home, one of the areas of reform that's badly needed and this bill does not touch on is the reform of Tarion. We need stronger oversight and accountability into Tarion. It provides a warranty, but at this point in time people are questioning whether it's really putting the consumers' needs and their concerns as a priority, and that's something we need to address.

**The Acting Speaker (Mr. Paul Miller):** Further debate?

**Hon. Kevin Daniel Flynn:** It's a pleasure to join the debate. I enjoyed the comments that I heard from all three parties earlier.

As I was sitting here, I was thinking that I bought my first condominium when I was 22. That goes back to the mid-1970s. When you were buying a condominium in the mid-1970s, you were taking a little bit of a risk back then. It was a little bit like the Wild West out there. I was fortunate; I got into a very good deal and everything worked out really well for me. But at the time, in the media—this would be the mid-1970s—the idea of a condominium was a fairly new concept and there were some horror stories out there. There were units that weren't finished; there were builders that just took money and took off—all sorts of stories that we didn't want to hear. But it was one of the best investments we ever made.

It's interesting to see now that even though it was a new way of living back then and one that a lot of people didn't understand, over half of the homes that are built now in the province of Ontario are indeed condominiums. It's interesting to also note that one in 10 people in Ontario lives in a condominium.

I'm sharing my time today with a few people: the member from Northumberland–Quinte West, the member from Etobicoke–Lakeshore and the Associate Minister of Finance. Speaker, I thought I should mention that to you.



The point I'm trying to make is that the Protecting Condominium Owners Act continues on in the way that this government and, I think, all three parties have determined over the years: We need to provide better protections. As we find out different things about how condominiums work and we know a lot more about them, we're introducing more and more protection measures. This falls, I think, right in line with that, because if you look at some of the major points that are covered in here, it allows for improved and better dispute resolution. That's something that I think we'd all like to see. Obviously, there are disputes that arise from time to time, and the establishment of a condominium authority in this regard is going to help an awful lot.

It also provides increased customer protection for owners and for buyers of condominiums. Over the years, we found out that certain increased protections are needed, and sometimes you only find those things out as a result of experience, of going through them. When you introduce improvements like this, it's a sign that this government and this House are indeed listening to the people who are coming forward with some of the problems that they're facing.

We've decided, also, as a part of this act, should it pass, that it would strengthen financial management rules for condominium corporations. That would help them prevent fraud within their own organizations. It would also help prevent mismanagement by the management companies themselves or by the boards themselves. The example that is used here is that it would prevent the condo corporation from finalizing major contracts unless they fulfilled certain procurement process requirements that are probably the sort of thing we'd all like to see. It's a good example of good management, and it simply applies those concepts to the financial rules that condominium corporations must operate under.

It's going to make it easier for condo owners and boards to participate in and to vote at the meetings that are held from time to time. It's going to make it much more user-friendly. I believe that if you're just an individual owner who owns one unit in a building, it allows you to have your share of the power, your share of the influence, and make sure that your opinions are heard when decisions are made at the condominium.

The thing I really like about this, too, is that we're going to license condominium managers. This is something that I think has been lacking in the past. The proposed act would establish a separate piece of legislation that would allow us to put some discipline in the form of a delegated administrative authority to regulate condominium management and those firms that they work for. We would have a compulsory licensing system.

If you're a citizen member or you're a volunteer member of a board, when you go out and hire somebody that is going to run probably one of the biggest investments in your life, you know that you can go to a licensing system and you know that that person has the credentials, has the authority, has the background, that they are going to do a very, very good job in protecting

your investment and making sure that the place where you live is well run.

Overall what this is going to do is improve protections for almost 1.5 million condo owners in the province of Ontario. It is a huge investment for a lot of people. Often it is the first investment they make, or sometimes it is the last investment they make. People buy condominiums when they're young, and when they downsize they often go back to condominiums.

It is the sort of thing that I think is going to protect a wide range of people in Ontario. I'd urge all members of the House to support it.

**The Acting Speaker (Ms. Indira Naidoo-Harris):** Further debate? I recognize the member from Northumberland-Quinte West.

**Mr. Lou Rinaldi:** Thank you, Speaker; you look great in the Speaker's chair. I must say, my compliments to you. I know that you're not going to be partisan. You'll treat us all the same. Just give me some slack, though. That's all I could ask for.

It is a pleasure to take a few minutes to speak about Bill 106. Let me just say off the top that I represent a rural riding with small urban pockets. We don't have a lot of condominiums. As a matter of fact, I was looking at some of the notes that we have here. The last time that the Condominium Act was passed in 1998, some 17 years ago, I'm not sure we even had any condominiums then. If we did, things have certainly changed.

Madame Speaker, just to put it in perspective, because we're not like downtown Toronto, Ottawa, Hamilton or some of the other places, when this piece of legislation was introduced just days ago, I took the opportunity to speak to some folks that are known in the condominium business, both tenants and condominium corporations, just to get some sense, and, although at face value they want it to have more detail, and rightfully so, I think they expect that, in general they all welcome the idea that we're looking at this with somewhat of a fresh face, somehow strengthening the protection of both condominium owners and the tenants.

Some would argue that we are putting in more of a regulatory process that, frankly, with small condo corporations is some additional work, but on the flip side of that, there's a real understanding that you cannot regulate something that frankly needs regulation. We've heard that over and over again. Our friend Rosario from the NDP had been preaching this for the eight years I was here prior. I think they recognize that with change and regulations there's got to be some rules in place.

Madame Speaker, I would say in general that we are moving in the right direction. This is something that, frankly, condo owners and condo tenants have been waiting for. I know we heard from the opposition that this government has been here 12 years, so let's get it done. I'm hopeful that at the end of the day we will have that support from the opposition to make sure that we get this done.

I just want to highlight a couple of the things during the process that got us here today and what the intent of

the bill can be. There was some extensive—and I think we have heard this before but it is worth repeating—consultation and review for the Condominium Act; some 2,200 submissions, and it was varied, from owners to developers, managers and some industry experts. The review concluded that some things needed to be addressed: new laws and tools to increase consumer protection for condo owners and buyers, to improve on how condominiums are run and managed, because we heard over and over again, through that particular piece, that not all condominiums were managed in a standard way.

**1630**

It also means strengthening the financial sustainability of condominium buildings, because we want to make sure that when somebody buys a condominium, from a consumer protection piece, that roof that they buy to have over their head has some substantial credibility so that the roof will not leak, or when the roof needs to be replaced, there is enough money put aside to make sure that the roof gets replaced or the sidewalk gets paved so that we don't slip and fall, and the grass gets cut.

So Mr. Speaker—this has been difficult because I was saying “Madam Speaker” because there was a Madam Speaker, and now I'm saying “Mr. Speaker.” I think you're trying to confuse us. But anyways, we're here. So I just urge the opposition to support this. Let's protect condominium owners, but also managers and corporations.

**The Acting Speaker (Mr. Paul Miller):** Thank you.

I hope you're not confused.

**Mr. Peter Z. Milczyn:** No, Mr. Speaker.

**The Acting Speaker (Mr. Paul Miller):** Okay, thank you. The member from Etobicoke—Lakeshore.

**Mr. Peter Z. Milczyn:** It is a distinct pleasure to rise in the House to speak to Bill 106, Protecting Condominium Owners Act. This, to me, is one of the most important pieces of legislation that has been before the House during my time here. There are nearly one in 10 Ontarians who now live in a condominium. That percentage will continue to rise.

In my community of Etobicoke—Lakeshore, as we speak, there are some 3,000 condominiums under construction or about to start construction, and many thousands more that will be built in the decade ahead. So in my community, this piece of legislation is something that has been awaited and is very important to many people. I, myself, am a condominium owner and resident, so I'm very grateful about the additional protections that this act will provide.

There is nothing more important than the government being able to put in place protections that give people reassurance that their home, their enjoyment of their home, their way of life will be secure. This legislation goes a very long way to providing more protections for condominium residents. It was the result of very extensive consultation over 18 months, and I believe we've gotten it right.

The ability to put in place a good dispute resolution mechanism for people is extraordinarily important. During my time as a city councillor, I was often brought into the fray when there were disputes between individuals and a condominium board. I, of course, wasn't really in a position to assist them, but I was very sympathetic to what sometimes were lengthy, multi-year battles in court. That was not fair to individuals with legitimate concerns.

This dispute resolution system will give quick, easy and affordable access to individuals to challenge a condominium board when they feel something is not being done properly or their rights aren't being protected.

There is also going to be important additional consumer protection for owners and buyers of a condominium, ensuring that there must be better disclosure by developers to condominium buyers when they purchase their unit as to what it is that they're buying; better protections about hidden costs that might arise between the process of when you sign an agreement to buy a condo and when you actually take possession and close on it. Those are important provisions. The ability to ensure that there will be better fiscal management by a condominium board, better governance for condominium boards and better education for those volunteers who are elected to serve on condominium boards are all very important provisions of this act and the regulations that will flow from it.

The ability to ensure that condo managers are licensed and that they're held to some kind of standard—there are many great professional condominium management companies and individual property managers, but in the past, there have often been cases where there was quick turnover of condominium managers because it wasn't really that professional of an organization or viewed as that professional of a profession. This will give it greater status and, I think, will attract people who are very committed to doing this job well. They will have the tools in place to do it well, but condominium residents and owners will also have a better ability to hold them to account when something isn't done properly.

This piece of legislation will provide significant help to condominium owners and residents that they did not have before. It will give you much greater peace of mind, if you're a condominium owner or resident, that if there is a problem, there will be an easier mechanism to try to resolve it: more professional governance, more professional management and better fiscal management. It means that one in 10 Ontarians will be able to sleep more soundly in their homes every night, knowing this legislation is in place, if it is passed.

**The Acting Speaker (Mr. Paul Miller):** The Associate Minister of Finance.

**Hon. Mitzie Hunter:** Thank you, Speaker. I'm pleased to join my colleagues to speak today about Bill 106, the Protecting Condominium Owners Act. As our cities continue to grow, we know that more and more people are choosing to live in condos. Over half of new homes being built in this province are condos. In fact, one in 10 Ontarians live in condos, and that number is surely to continue to rise in coming years.



The existing Condominium Act was passed more than 16 years ago. Since then, the condominium landscape in Ontario has changed dramatically. Our government is committed to modernizing the existing rules to ensure that they are reflective of the realities that we see in the marketplace today. This act is an important step that our government is taking to ensure that Ontario's 1.3 million condo dwellers have the protection they need.

We know that buying a condo is a major milestone in many Ontarians' lives and a major financial investment, and we know it's important that the government take steps to protect condo owners' investments. This is something we have heard from our consultations that we've done with many Ontarians. This legislation is based on over 2,200 submissions to the condo act consultation process. We developed this legislation in consultation with condo owners, condo managers, developers and experts.

Our government knows there are a number of concerns and issues that condo owners face. Currently, the ministry averages over 1,000 complaints and inquiries a year on condo issues, ranging from owners surprised by increases in condo fees, major financial decisions being made without owners' consent, and courts being required to appoint an administrator to look after buildings in financial crisis. All of these issues lead to a decline in property value.

If passed, as my colleagues have said, the proposed legislation would increase protection for condo owners and Ontarians purchasing a condo; require condo managers to be licensed; create new governance requirements for condo boards; and strengthen the financial sustainability of condo buildings, as well as establish a modern, cost-effective dispute resolution system.

The act would also create a new organization, a condominium authority that would have oversight of the sector. This new organization would provide quicker, lower-cost dispute resolution than what is available today.

We want people to feel comfortable and protected in their homes. We don't want them to have to worry about spending tens of thousands of dollars to resolve disputes. If this legislation is passed, all condo owners would have access to a dispute resolution process which will solve disputes in a fraction of the time and cost that currently exists.

We also know that Ontarians have concerns about surprise costs in the buying process. The proposed legislation contains strong provisions to protect Ontarians at all stages of condominium ownership.

The act has measures to prevent developers from charging surprise cost increases for condo owners. It also improves disclosure during the purchase of a condo.

We are empowering condo owners, who can now feel confident their condo board will have clear governance guidelines and the proper training to deal with residents' concerns in an open and accountable way.

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Mr. Speaker, reforming Ontario's condominium laws was a key commitment in our 2015 budget. The 18-

month consultation process and review of the Condominium Act is an excellent example of open government in action, a key platform of the Wynne government. I know this is a priority for Ontarians and I would definitely be encouraged if all members of this House, the opposition in particular, would support this very important bill, this very important piece of legislation and move this forward.

**The Acting Speaker (Mr. Paul Miller):** Questions and comments?

**Mr. Jim McDonnell:** I'm pleased to rise to comment on Bill 106, the condo bill. I know the people of Ontario have been waiting a long time. I think the Liberals have really outdone themselves; it's 10 years too late, but we're glad to finally see some changes. The last time there were amendments, there was a fraction of the condos that we have today. So it's a chance to make some much-needed changes.

Through my term here, I've been approached by many different groups looking for changes, asking for changes from this government—people who were tired of waiting. So right now, we certainly are supporting. We're looking for a few amendments to the bill, but we would like to see it go through as well.

The last time, in 2002 or 2003, there were 270,000 condos; there's almost 10 times that today. For people purchasing a first home or condo unit, it's probably their largest investment, so we want to make sure it's protected. We want to make sure that costs are kept as low as possible so people can enjoy their home, but also be able to enjoy some of the other features that are in this great province.

Right now, there are some issues. The condos are getting a little older now. They're finding the funds aren't there for the repairs because maybe not enough money was put aside or it wasn't treated properly. This legislation is looking after some of those things. We look forward to moving on to committee.

**The Acting Speaker (Mr. Paul Miller):** Questions and comments?

**Mr. Wayne Gates:** I take great pleasure in standing up on Bill 106, but I'd like to talk about what really got us here, or at least one of the things. It was called the falling-glass crisis, and shoddy condo construction. In 2012, Toronto Life wrote an excellent article on the falling-glass crisis and shoddy condo construction. Our member talked about that a number of times. Since then, there has been more falling glass. You can imagine that, walking down one of the streets here where all the condos are, and the glass is falling down because of shoddy construction. It's incredible.

It led to class-action lawsuits. Since then, again: more falling glass. It's really amazing. Even though the falling-glass crisis was arguably what finally pressured this government into taking action on condo act reform, Bill 106—I want to be clear on this—will do nothing about falling glass. So don't look up.

There are currently very few limits on what developers can bury in a purchase agreement or in a condo declara-

tion; for example, statements outlining what an individual owner is responsible for within their condo and what common elements the condo corporation is responsible for. This is something that I think should disturb all of us. The hidden costs, the weasel clauses can expose buyers to serious risks. Developers often promise one thing in a condo showroom and deliver something completely different. While developers are limited about what major changes they can make to individual units after purchase, they can grant themselves shocking freedom in what they can do.

**The Acting Speaker (Mr. Paul Miller):** Questions and comments?

**Ms. Sophie Kiwala:** I'm very happy to rise in the House today to speak in support of Bill 106. There are many pieces in this bill that are extremely important and very positive. I need to echo, as well, the words of the Minister of Labour and the Associate Minister of Finance with respect to how much the condo legislation has been needing to be developed for a very long time.

I can't help but think back to the time when I purchased my first real estate. It was a condominium. There were some issues. This goes back to the 1980s. We had some issues with some failing concrete, and we were levied with a fee. We were young, we didn't have a lot of money back then, and we were levied with a fee of astronomical proportions, which it was very challenging to pay.

This is why this piece of legislation is so incredibly important. Finding that financial sustainability for homeowners is absolutely critical, and it's time that it happens. Buying a condo is a huge investment, and often people who purchase condominiums cannot withstand that financial cost when it's unexpected.

Just to reiterate some of what my colleagues have said a little bit earlier today: This piece of legislation is going to increase protections for condo owners. It's going to require that condominium managers need to be licensed, and that is going to be key. There will be new governance requirements for condo boards, as well, and this will enable homeowners to bring forward their complaints and their issues to somebody who knows how to respond to them.

**The Acting Speaker (Mr. Paul Miller):** Questions and comments?

*Interjections.*

**The Acting Speaker (Mr. Paul Miller):** Which one? Have we got it figured out? I guess we're going with you, Renfrew-Nipissing-Pembroke.

**Mr. John Yakubuski:** Thank you very much, Mr. Speaker. It's my pleasure to have a short moment to address this bill. Unfortunately, I'm concerned that I may not get the opportunity to speak to it at any greater length.

The condos have been going up in this city at an unbelievable rate for the last several years. It's about time they considered some kind of legislation to deal with the growth in the condominium market. They've taken a long time to bring out the legislation, but I fear

we're going to have a very short time to debate the bill, because already I see what's happening over here. We just had four government members speak in one 20-minute rotation, which traditionally has been reserved for one member of this House to speak in. After a certain length of debate, for those of you out there listening to this debate on television, we then go to 10-minute rotations. But the Liberals are getting four members up during a 20-minute rotation.

Do you know why? Because shortly we're going to have a minister of the crown stand up and say—it's not going to happen today, because the debate will run out at 6 o'clock today. But it's going to happen soon where a minister of the crown will stand up and say, "Speaker, I think enough people have spoken to this. Over 50 members of this House have spoken to this bill." Yet the members of the opposition will have been denied the opportunity to speak to the bill, because the Liberals are doing it in just little fits and starts. They barely clear their throat, and they move on to another speaker.

This is a comprehensive piece of legislation. I applaud the minister for finally doing something about it. It's 36 pages; some of the bills the Liberals bring out are three or four pages. We need to make sure we have adequate time to debate this bill, and then get it to committee so that we can amend it and make it the best possible piece of legislation that we can out of this House.

**The Acting Speaker (Mr. Paul Miller):** The Associate Minister of Finance has two minutes.

**Hon. Mitzie Hunter:** I want to thank all of the members who spoke in support of Bill 106. I want to thank the member from Stormont-Dundas-South Glengarry, the member from Niagara Falls, the member from Kingston and the Islands, and even the member from Renfrew-Nipissing-Pembroke for his two minutes.

**1650**

Speaker, this is a very important piece of legislation. I'm delighted that the minister responsible is here, listening to the debate and hearing all ranges of support for this good piece of legislation that was put together with the input of over 2,200 submissions from the consultation process.

This is about ensuring that we protect people's investments in the long term as well. I know that my colleagues talked about how oftentimes a condo is purchased as one of the first purchases that someone is able to make in home ownership, but I also recognize that oftentimes condominiums are the last purchase that people are making in home ownership as they transition into retirement and seek to live in a smaller home. So that's also an important aspect of ensuring that we protect these types of investments for people for the long term.

Bill 106 is doing just that. It's ensuring that we have new laws and tools to increase consumer protection for condominium owners and buyers. There are improvements to how condominiums are run and managed, protecting that investment for the long term. It's also a means of strengthening the financial sustainability of condominium buildings. We know that over half of all



new home constructions are condominiums. They are part of the communities in which people live throughout this province, and it's important that we protect that investment for the long term, Speaker. Thank you very much.

**The Acting Speaker (Mr. Paul Miller):** Further debate?

**Mr. John Yakabuski:** Point of order, Speaker.

**The Acting Speaker (Mr. Paul Miller):** A point of order from the member from Renfrew–Nipissing–Pembroke.

**Mr. John Yakabuski:** Speaker, I would like to correct my record. Because I only had a little bit of time, I inadvertently said that the bill was 36 pages; it is 159 pages, which gives us even more reason why we need more time to debate it.

**The Acting Speaker (Mr. Paul Miller):** That's not a point of order.

Further debate? The member from Nipissing.

**Mr. Victor Fedeli:** Thank you, Speaker. I appreciate—

**Mr. John Yakabuski:** You're going to use all 20 minutes, right?

**Mr. Victor Fedeli:** I am going to use all 20 minutes.

**Mr. John Yakabuski:** Good for you.

**Mr. Victor Fedeli:** Thank you, John. It's my privilege to take my 20 minutes to speak for this first opportunity on Bill 106, the Protecting Condominium Owners Act. It will be very insightful, very refreshing, especially when I get to the parts in here about some examples from my hometown in North Bay. We'll get to that in a moment, though, Speaker.

This bill, all approximately 160 pages or so, if enacted, will affect a number of existing pieces of legislation, including the Condominium Act of 1998, the Land Titles Act, the Ontario New Home Warranties Plan Act, and the Licence Appeal Tribunal Act of 1999. The Condominium Management Services Act of 2015 is also being enacted.

We know that the goal of home ownership is one of the best investments a family can have. We need to ensure that legislation protects people once they have made this substantial financial commitment. It's unfortunate that it has taken so long to introduce this legislation, but it is our hope that the government has used this time effectively and is putting forward legislation that will actually fix the current problems.

*Interjection.*

**Mr. Victor Fedeli:** If you stop campaigning for Trudeau, you might have some time to actually spend on this, to your point.

*Interjections.*

**The Acting Speaker (Mr. Paul Miller):** I believe there was a memo put on all your tables this morning—that green one, yes—which said we will talk to me; we won't exchange across. That applies to both sides, of course. It seems the memo didn't last too long. Already we're at it again. There, in your desk: There you go. You

might want to reread it—and that goes for the whip of the NDP—and let's play the game properly. Thank you.

*Continue.*

**Mr. Victor Fedeli:** Thank you, Speaker. I was only responding to the minister's comment about an election that she introduced.

Nonetheless, it's imperative that condo management boards are transparent and accountable to their residents—oh, thank you. I appreciate that. I'll make sure that Brad Duguid gets that later.

What will this bill do? This bill will allow for the establishment of a condominium authority that would be responsible for administering condo owner education, dispute resolution and a condo corporation registry.

The condo authority would be a not-for-profit corporation under the oversight of the Auditor General. After initial start-up funding from the government, it would be financed solely by a fee charged to condo corporations. We understand that the estimated fee passed down to the owners is about \$1 a month—this is what we're led to believe. Now, when I hear that \$1-a-month estimate, Speaker, it brings to mind past government estimates. I recall in 2009, when I was in the mayor's chair in the city of North Bay, that the Green Energy Act was introduced and we were told it would only increase hydro fees 1% a year. We now know, of course, that they have turned into 10% a year. So when we hear that this is only going to raise your fee \$1 a month, we're a bit concerned. Of course, we also recall the government's insistence that the gas plant cancellation would cost \$40 million when it actually cost \$1.1 billion. So we're a little leery of estimates.

Nonetheless, the condo authority will have the responsibility to administer the condominium authority tribunal, which would resolve disputes through case management, mediation and adjudication.

The bill will create a separate licensing authority to administer licensing of condo managers. This will be done through a proposed new Condominium Management Services Act, which will create a compulsory licensing system for managers and management firms, creating a training and education program for managers, and establish a code of ethics for condo managers. The act would also set qualifications to be a licensed manager.

The bill would amend the Ontario New Home Warranties Plan Act, so that most of the warranty protections available to buyers of new condos would also apply to certain condo conversion projects.

This bill, in its aim, is to strengthen financial management by providing condo owners with more information about financial matters affecting their investment and more control over the changes. That's the intent of this. Now, this bill also intends to improve how condos are run by requiring boards to provide regular information, updates to owners, and updating requirements for board meetings.

The most recent condo legislation is, as you've heard several times today, from 1998. Today 1.3 million

Ontarians live in condos. More than 50% of the new homes being built in Ontario are condos. We heard that from the member from Davenport; thank you for bringing that to this floor. There are currently 700,000 condo units in Ontario, with another 51,000 units under construction. That's up from 270,000 in 2001. And as the minister said earlier, one in 10 Ontarians lives in a condo.

I live in the riding of Nipissing—

*Interjections.*

**The Acting Speaker (Mr. Paul Miller):** Your own member looked around twice on the distraction over there. You might want to listen to your own guy. You probably don't want to listen to the others, but it would be nice if you listened to your own guy.

Go ahead, member from Nipissing.

*Interjection.*

**The Acting Speaker (Mr. Paul Miller):** You looked at him twice. Don't tell me you didn't.

**Mr. Victor Fedeli:** Speaker, thank you for bringing attention to this important chapter that I'm about to reveal. We're talking about condominiums, and I live in the riding of Nipissing. My hometown is North Bay. As I said, the minister talked about one in 10 Ontarians living in a condo. Primarily we're talking about the GTA, perhaps Ottawa, London and some other communities, but I will say that we have condos in North Bay. So my point here, the very point that I make, is that there is a vast difference. When you've got such an intense concentration of condos in the GTA or in some of the other large urban centres, this need for these managers with accreditations and training is extremely important and valuable, but the point I want to make is that we have issues in northern and rural Ontario, where there are some condos, that are very unique to owners outside of the GTA.

1700

I'm going to just give an example of some previous legislation that I think brings home this very point. Again, back in the day, when I was mayor of the city of North Bay, the strong communities act came across our desk. By the very title, you would think that this was going to be good for all communities, but again, it was a Toronto-centric problem that the government created a large solution for that ended up hurting others. This is what I want to bring to this condo change here: that we need to make certain that the rules that are put in place don't adversely affect the small communities that have one or two condo buildings in their entire community.

That strong communities act, for instance, acknowledged a very important issue about wetlands in Toronto. There really aren't a lot of wetlands down around Bay Street and University Avenue. We understand that; we get that. So the solution was that any wetlands that are found in Ontario must not be sold and used for development, and we get that. That's so important. That's how we filter our water, through the wetlands, and we understand that it's important. Except in the old days, in northern Ontario, you were allowed to build on a wetland if you created an equal-sized wetland elsewhere—very

practical. It was a common practice and, in fact, it was our law. But this Toronto-centric solution that came across wiped out all that.

As you've heard me say in this Legislature before, we now have a 112-acre, \$40-million industrial park in North Bay that can no longer be built on. Sewer, water, roads, fire hydrants, high-speed Internet: It's all there, but we can't build on it, because a law was changed to solve an important problem in Toronto, but it was pan-Ontario, so the north got sucked into that vortex and it was one set of cookie cutter rules. My point is, let's make sure that the legislation reflects the unique issues that affect condo owners in northern and rural Ontario. That's the point I make with that.

In 2012, the government began its Condominium Act review, which was a three-stage public engagement process aimed at modernizing the legislation. This was in response to growing concerns from condo owners and managers, again, primarily in the urban centres. The key issues identified in this review include governance, dispute resolution, financial management, consumer protection and condominium manager qualifications.

A little bit of other background worth noting: The bill has the support of the Canadian Condominium Institute. Here's an excerpt from their release—I like to look at a balanced approach to the discussion. The CCI is speaking about Bill 106, the Protecting Condominium Owners Act. They look at the changes in Bill 106, including “establishing mandatory licensing of condo managers and strengthening financial management rules for condo corporations to help prevent fraud and mismanagement.”

“The Ontario caucus of CCI, a national, independent, non-profit body dealing exclusively with condominium issues, has been among those pushing for legislative reform in Ontario for more than a decade. CCI members played an active role in the” consultations and the working panels over the last two and a half years.

So, it truly was a red-letter day, especially for those in the urban centres, when the Minister of Government and Consumer Services did introduce the bill and it was given first reading and passed. The proposed legislation includes mandatory education for condominium directors.

The current chair of the CCI stated, “The Canadian Condominium Institute has been front and centre in providing director education since 1982 and we anticipate that despite mandatory education being offered through a newly formed condo authority, CCI will continue to be a long-term source of ongoing training for directors.”

“The CCI ... caucus appreciates” the fact that “the government did not introduce a new Condominium Act” but amended the present one. These are comments I'm sharing from them. They look forward to the changes, among them, “off-budget spending whereby a condominium board would have to notify owners if it had proposed an expense exceeding the budgeted amount by more than a set margin.” Interesting.

They believe that “transparent financial management is the foundation of a successful condominium corporation and community.” Of course, I would agree with a



statement like that, thinking, of course, that that is also what you would look for from a government.

Their legal firm, Gowlings, provided the analysis regarding the planned establishment of a new condominium authority and a new tribunal. They noted that the new condominium authority and tribunal "are required to be self-financed. Some of the financing is expected to be generated by the users who would be required to pay certain fees. The details of how these new entities would be financed have yet to be hashed out through" this legislation.

I think that's kind of one of the important aspects of being able to have a discussion in this Legislature and not truncate any discussion. It's also important to be able to have these in committee to be able to discuss that at that point as well. We're looking forward to a thoughtful and fulsome debate in the Legislature about the various aspects.

"The condominium authority is also expected to be able to levy fees from all condominium owners. A number that seems to be floating around is the suggestion that condominium owners would pay \$1 per unit, per month to finance this authority. Assuming ... there are 700,000 condominium units in Ontario," we're talking about "\$8.4 million dollars" a year. "Just as a point of comparison, the budget for the Landlord and Tenant Board exceeds \$30 million.... We may have a far way to go."

This is why I questioned earlier that estimate of a dollar. It's fine to have a starting point, but I wouldn't want anybody to take that figure literally to the bank.

"It appears that the proposed Condominium Authority Tribunal has not been granted jurisdiction to rule over dispute between corporations and property managers. If the province is planning on creating such a specialized tribunal, it may have made sense to also grant it authority to rule over these kinds of disputes."

That's why we have these debates. That's why we don't want to see these debates truncated. These are ideas that I'm truly hoping the government is noting and can comment on.

Gowlings also had this to say regarding new requirements for condo directors: "Bill 106 proposes to impose mandatory training on all directors. It is not clear at this stage what training would be required, who would provide such training and how frequently such training would have to take place. It is not clear either whether individuals who have already attended" CCI's director's courses "would be exempt from this ... requirement."

"Directors would" also "be required to proceed with a certain level of disclosure. We will have to wait for the adoption of regulations to know exactly what directors will be required to disclose."

Now, Gowlings also speaks about changes to repair and maintenance obligations: "One of the most important proposed changes to the legislation, in my view, is that the responsibility to repair a unit after damage will no longer fall to the corporation (unless the declaration provides otherwise). The responsibility and the cost of

repairing units after damage would be shifted back on to each owner.

"In my view, this is a welcomed change, which will simplify greatly many matters including issues surrounding insurance."

Others may not see it that way.

**1710**

This is why we need these 20-minute opportunities to bring this out, so we can have an intelligent discourse back and forth to talk about these various points. I'm hoping in the two-minute hits that we'll hear some thoughts about these.

The proposed act does not appear to make this change retroactive—another point that needs to be debated. It may be a problem as many corporations have had their declaration drafted under the current or prior legislation. So for this reason, many of the existing declarations imposed on corporations the obligation to repair a unit after damage. At the time of incorporation, this language was simply reflecting the legislation in place. By not making the proposed change retroactive, many existing corporations may still be responsible to repair old units after the damage simply because their old declaration says so.

I've also seen concerns expressed by some about whether all of this legislation will ever be proclaimed into force or whether some of the regulations necessary to give teeth will ever be enacted. It's always a concern. We've seen other bills come, get debated, get through and get passed but never be enacted. There are still many on the books, and that's a concern. As I said, there's precedent for that. It's worth noting that it's a concern that has been expressed amongst stakeholders, and the government should be aware of it.

In conclusion, it has taken a long time to introduce this legislation, but I'm hoping the government has indeed used their time effectively, put forward legislation that will fix the problems and, hopefully, they'll listen to all of us as we take our time to bring new ideas, question some of it and use that effectively, Speaker. I thank you very much for the opportunity to rise.

**The Acting Speaker (Mr. Paul Miller):** Thank you. Questions and comments?

**Mr. John Vanthof:** It's always a pleasure and privilege to be able to stand in this House and give some remarks on any legislation on behalf of the residents of Timiskaming-Cochrane, and today on Bill 106, the Protecting Condominium Owners Act. It's also a pleasure to follow one of my fellow MPPs from northern Ontario, the member from Nipissing. We often disagree on certain views, but we always stand up for the people we represent, and often people in northern Ontario have a different view of things.

I will have to admit, there's not a lot of condominiums in my riding.

*Interjections.*

**Mr. John Vanthof:** Yes. A few bears; no condominiums.

One thing that has been touched on: Often a condominium is a first home purchase. My daughter has a

condo in Etobicoke. It was her first home purchase and my first experience in the world of condominiums, because coming from a place where we always live in individual setups and we're responsible for our own roof, it's a whole different concept. Reading through some of the documents that you have to sign—coming from a father's perspective, it's a pretty scary concept. So anything that can be done to make it safer—because there are troubles with the condo sector. There are good condo corporations and not-so-good condo corporations. So anything that can be done is a step in the right direction.

I'd like to commend my former colleague Rosario Marchese, who has been pushing for condo changes for years. We're hoping that this is a step in the right direction. We can always do bigger steps, but we're hoping that this is a step in the right direction to help people with their first home.

**The Acting Speaker (Mr. Paul Miller):** The member from Trinity–Spadina.

**Mr. Han Dong:** I'm very pleased to comment on my colleague from Nipissing's view on this bill. But before I do that, I want to thank the third party caucus. They've been promoting the great riding of Trinity–Spadina quite a bit when they speak about this bill in citing my predecessor's work on this.

Just to comment on my colleague from Nipissing's comment with regard to the \$1-a-month contribution to the DAA, the condo authority, I think overall what we are proposing in this bill is giving a practical solution to an idea put forward by a former member of this House. We've laid out the details—and I thank the minister for doing that, and his whole entire team. We lay out the details and tell people that, if passed, they will have a very affordable alternative to what we have right now. That's very important to point out.

I also want to comment on his point on the fact that 10% of Ontarians who are currently living in condos—and many more in the near future—live around the GTA. I want to caution this House that we've got to be very careful not to see this is as an urban issue. It's not pitting the rural Ontarians against the urban Ontarians. What I find in my riding is that many condo residents are renters. They previously lived in a suburb or rural area. Now that they find a tremendous job opportunity in Toronto, that's where they're moving, and that's why they are making their first large investment—

**The Acting Speaker (Mr. Paul Miller):** Thank you.

**Mr. Han Dong:** Thank you, Mr. Speaker.

**The Acting Speaker (Mr. Paul Miller):** Questions and comments?

**Mr. Rick Nicholls:** I'm pleased to stand and just do a two-minute oration—and I just made that up, by the way—on this particular act.

Chatham is inundated with high-rise condominiums. It's like a mini-Toronto—not, not. We really don't have condominiums down there. We're just rural Ontario. But you know, one of the things that I appreciate about this particular bill is the fact that it actually affects five other acts. I'm not surprised at the fact that this government

takes one bill and then has it combined to affect so many others. I've spoken with builders, as well, on some of the issues and challenges that they're faced with.

But again, here it is, allowing for a condominium authority responsible for administering condo owner education, dispute resolution and, of course, a condo corporation registry. Again, are we creating more red tape? I'm not so sure about that.

Then we talk about a new home warranties plan. Again, I like the fact that it protects buyers of new condos, because again, people are putting substantial money into these condos. You look at it and you say, "Who's protecting my investment?" or, in this case, their investments. So I like that aspect of this particular bill. But again, when we look at baby boomers, people in large urban centres like Toronto—condominiums are on the rise. Condos have risen, golly, from 2001, about 270,000 units, to now up over 700,000 units. It's huge. There needs to be protection there.

**The Acting Speaker (Mr. Paul Miller):** Questions and comments?

**Ms. Catherine Fife:** It's a pleasure to comment on the 20 minutes from the member from Nipissing. I appreciate the fact that there aren't a lot of condos in the far north, but there is actually a growing demand for alternative housing options, and I think condos are on the rise. They certainly are in Kitchener–Waterloo.

He did reference some of the weaknesses, though, in construction. Consumers are looking for a vehicle to actually raise their concerns in a very fair and democratic way. There are parts of this piece of legislation, Bill 106, which actually will help facilitate that. There are big pieces missing, which is unfortunate.

I was living in the building on Bay Street when the glass was exploding. It's unsettling to live in a glass building where glass is falling off the building; I will tell you that first-hand. Also, my balcony was inaccessible for almost two years because they were slowly moving up and down the building and replacing the glass panels.

1720

The people who lived in that residence, certainly at the time, felt they had no recourse. I know that Rosario Marchese, the former member from Trinity–Spadina was a long-standing advocate on this issue because he was reflecting the concerns that he heard in the community. He started way back in 2007 when condominiums were sort of on the rise.

We have new issues that are coming up, though, in condos. My sister lives in a condo very close to the Junction, and I know that during the Pan Am Games condo owners were sort of subletting their units out by the night, by the week, and they were trying to make money; and, of course, this was in violation of the contract. So governance is a huge issue in these condos.

The clarity is needed. I think the member from Nipissing raises a very valid point around the money that will be needed around governance; \$8.4 million seems quite low, given the Landlord and Tenant Board. We should keep an eye on that as well.



**The Acting Speaker (Mr. Paul Miller):** The member from Nipissing has two minutes.

**Mr. Victor Fedeli:** I want to thank the members from Timiskaming–Cochrane, Trinity–Spadina, Chatham–Kent–Essex, and Kitchener–Waterloo for their commentary; much appreciated.

I spoke about northern and rural earlier, so I want to expand on the discussion a little bit from the Ontario Home Builders' Association, who came out with their background information for MPPs. I'll read directly from this, Speaker. It says, "The OHBA supports any changes that assist consumers in making more informed decisions through increased disclosure and clarity in contracts." Again, who wouldn't? Here's the line I thought was important. It says, "The condo act must be written to ensure that it works for all parts of Ontario, not just high-rise towers in Toronto. There needs to be consideration for small condo corporations and self-governing condos so that they are not negatively impacted by potential new regulatory requirements. Any changes that affect condominiums require a phase-in period that will not negatively affect completion of projects currently under construction." So they talk about that, Speaker.

They also mention the condo manager licensing. They support this change, which would increase the level of professionalism, but they say there should be consideration for small condo corporations with small budgets and minor responsibilities over common elements.

They bring home the point that I make, which is that there really should be varying rules and guidelines depending on whether it's the size and/or the location or geography of these condos.

Thanks again, Speaker, for the opportunity to speak.

**The Acting Speaker (Mr. Paul Miller):** Further debate?

**Ms. Teresa J. Armstrong:** Once again, it's a pleasure to participate in the debate for Bill 106 this afternoon. It is quite an extensive bill and really a bill that has been long overdue.

The champion of this bill, in my eyes—the government may not agree, and that's fine, Speaker—is a previous member, MPP Rosario Marchese. He was a true champion, and I really miss him as a member here because—

**Ms. Catherine Fife:** God bless.

**Ms. Teresa J. Armstrong:** Yes, exactly. His voice would have added so much context and history to this debate.

Speaker, I want to talk a little bit about condos in general, because they are an up-and-coming way of optional real estate. The member from Timiskaming–Cochrane talked about his daughter and that her first purchase was a condo. A lot of the younger generation are opting to purchase condos, and the reasons include that they probably don't have to do maintenance outside, landscaping and snow shovelling, because they probably have a busy career, a busy life, and doing those things takes time out of a lifestyle. So it's a lifestyle choice, perhaps, as well as an affordability option. A condo

apartment or a condo townhome may not be as expensive as a single-family dwelling, especially in certain communities and cities in Ontario where it can certainly add up for a single-family dwelling. We know Toronto is one of those communities.

The other sector of society that purchases condos, I find, that is up and coming is seniors. Being the seniors critic, that's one thing that they're in the market for, for different reasons perhaps. They want to downsize from a larger home. They're empty-nesters now; the kids have left home, thank goodness, if you're lucky enough for that to happen. So you're looking at downsizing, and as a senior, you may not be physically able to maintain the snow shovelling. As a mature person, it's hard enough to be shovelling that heavy snow off your driveway. So they could be doing it for that reason. They also maybe want to have one-level condos so that they don't have to climb up and down stairs.

I'm always in the market for real estate; we're always looking, seeing what options are out there. This summer we actually looked at a couple of condominium units, and I have to say, it's certainly a difference from being a homeowner, where you have that freedom of a yard and you're not side by side with someone or in an apartment building.

A little background on condos that we've done some work on—and the member from Bramalea–Gore–Malton mentioned it earlier: About 1.3 million Ontarians live in condos, and half of all new homes being built are condos. That's huge, Speaker. Half of all new developments are condominiums, so that is saying something in the real estate market.

I will give the government some credit for finally bringing this bill forward, because we have to recognize that there needs to be some regulation around this property purchase. We can't just let that have free rein when people end up being the victims of bad developments, of bad board management and condo managers. So good for the government to do that.

Similar to a municipal government, condo residents pay taxes—they translate them into condo fees—and they abide by condo bylaws. Condo governance is basically a fourth level of government for these people, and the condo act is like a constitution and a charter of rights for that level of a quasi-government. So really, they're already governing themselves, and I think this bill gives those parameters and a recourse for condo owners to go to tribunals and the condo authority in order to hear their concerns.

A little bit of history that happened as to why we're here today: The NDP pushed for condo act reform against the government's reluctance, and this government was reluctant. They were very reluctant and resistant to put this in; yes, they were. I know some may shake their heads, and that's okay. Everybody has a difference of opinion. But really, there was reluctance. Rosario Marchese was an advocate for this bill and reform for a long time. It would have been better if the government had acted quicker, but here we are today, so we'll give them credit for doing that today.

As the condo boom exploded in Rosario's Trinity-Spadina riding, he noticed that despite the condo act, many condo owners basically lived in the Wild West. We had the condo act but it wasn't up to date. It wasn't meeting the current needs of the market. Basically, this was a world of corrupt condo managers, rigged repair contracts, unexplained maintenance fee increases, abusive and unresponsive boards that refused to be open and accountable to the owners whose money they spent, unmaintained common areas that were falling apart, shoddy condo construction and unethical developers who ripped off consumers by burying nasty surprises in contracts' fine print. This is not an over-exaggeration. This was actually happening, so truly, the description of this being the Wild West is accurate. It's absolutely accurate, and I think people would agree.

For condo owners, the condo act wasn't helping them. It wasn't anything that could assist them in what they were going through in today's reality. Their only remedy was the courts, for which people, of course—not everybody can afford that. It is very expensive. First of all, you should actually talk to the person who you may want to take to court and try to resolve it within the condo corporation. But if that's not to your satisfaction and you still feel that you're not getting justice, you're not getting that remedy, you have to seriously think about whether, financially, you can afford to take the condo board or the condo corporation to court. Probably a lot of condo owners opted out of that because they couldn't afford that expense. We know the condo act today will at least help those two areas. They can take the condo board to a tribunal and at least try to resolve, hopefully, smaller issues that they would have normally had to go to court about and take that money out of their own pocket.

1730

This kind of whole mantra of what was happening around the condo scene led Rosario to table four bills. He started doing this back in March 2007 to try to reform the condo act. His fourth bill was Bill 72. It was tabled in 2012, and each time—again, a difference of opinion. We believe the government kind of stalled the progress on reform, saying that the existing system was adequate, that it was working ok.

Sometimes things kind of evolve in a bad way, and this is an example. In 2012, as the member from Niagara and the member from Kitchener-Waterloo talked about earlier, there was glass falling from high-rise buildings without any kind of warning, just out of the blue. You could be walking to work, or at 3 o'clock in the morning, or rush-hour traffic—rush-hour traffic in Toronto can be sidewalk rush-hour traffic; it doesn't have to be roadside. There were injuries. Thank goodness there were no serious, major injuries, but my goodness, imagine the outcome if there were more escalation of injuries happening. Headlines were being made, and then I think the government finally woke up and decided that, "You know what? This is a breaking point for us, and we're going to have to look at condo reform."

So what they did was they started out by starting a three-stage process. The government did an independent

review, a public policy forum, and the review was divided into three stages. In the first stage, they collected and summarized stakeholder input into findings—a report outlining the issues and problems facing condo stakeholders. That's fair enough—a good first step. The second stage was by far probably one of the most important stages. In this stage, the stakeholders' input was filtered through a hand-picked expert panel which made recommendations to the government. The recommendations are, of course, the basis for Bill 106. Finally, the third stage of the review—the barely noticed third stage—summarized reactions to the stage 2 report from various stakeholders who were lucky enough to receive an invitation to comment or who managed to spot the meeting and announcements that were quietly posted in late 2013 and early 2014. The reports offered no additional recommendations to the government as a result of these reactions.

So that's a little bit of the history of how we got here today. It's really important to know that because it kind of gives us the context of the importance and the validity of why we need this act.

The other thing I wanted to talk about was some of the messages that we believe should be given out to the public. I hope there are condo owners watching today. It would have been exciting, too, to let condo owners know that this act was coming to fruition in the House for debate, because I know that if I were a condo owner and had heard all these awful reports about condo fees rising, shabby workmanship, mismanagement of condo boards, mismanaged condo managers, as a condo owner, I would be in tune to listening to what's going to be in this bill, and most importantly, sometimes, what's not going to be in this bill.

We've been pushing hard for needed reforms, obviously, with regard to this. It's been about eight years. Eight years, eight consumer ministers and two Premiers later, we finally have the bill.

The bill includes important and much-needed reforms to condo board governance and finance. Condo owners will benefit from greater training and assistance for condo board directors. Owners will have more power to see important corporation documents, to requisition meetings and to ensure that large expenditures do not go without consultation and notification of owners. That's really important.

Maybe this is part of the government's plan with regard to the condo authority: educating real estate agents and educating condo owners and purchasers. As the member from Timiskaming-Cochrane said, his daughter bought her first condo, and reading that real estate contract and understanding what they're getting into is very complicated.

We need to inform real estate agents and condo owners and educate them, because this appears to be an up-and-coming market, and it's going to be alive and well for many, many years. If we're going to do it, we might as well start with this at ground level. We're talking about regulating and changing this bill and



reforming the Condominium Act. Let's talk about education and get it right. Start the education with the new reform act. This is a great opportunity to do that.

The NDP has long supported reforms, and it is good that the government is finally acknowledging that we need them. What is in this bill is reasonably good, but there are some things in this bill—and two particular areas that we're concerned about that are not in the bill. The bill excludes disputes involving condo managers and developers, and that leaves many condo owners and buyers without adequate protections. There is a gap in this condo reform bill. It's a good first start. There are going to be some protections that condo owners have never had before, so again, we give credit to the government for that.

The other piece of this is the condo authority. Their effectiveness in this body of—not regulation, but being in charge of condo owners—the condo authority: We don't really know what their powers will be, what their mandate is or what their duties entail, because it's all going to be up to regulatory procedures and it won't come back to this House. We won't have any say in what's going on.

Sometimes I think modelling the condo authority with boards that were already in existence for many, many years—my background is in insurance, so I think about RIBO, the Registered Insurance Brokers of Ontario. Previously I was a broker; I no longer am. You can't hold a licence in the Legislature, by the way, and be an MPP. It's kind of a conflict, apparently.

Anyway, that's a great organization. When I was a broker, we were supposed to have testing once a year. We had courses so that we were up to date when things changed. If we're going to do that condo authority and have a system or some kind of protocol, let's look at some organizations that actually have huge memberships and have those rules already in place, so that members continue to be educated as to how they report things.

Before I forget, I do want to give kudos to the government for setting this up right from the get-go. It says here that what happens is that the Lieutenant Governor in Council is to "designate a not-for-profit corporation as the condominium authority," and the condo authority will be delegated administrative authority bound by the governance and accountability provisions in an administrative agreement with the crown and subject to oversight of the Auditor General. That is great. Right from the beginning we're involving the Auditor General because we don't want to get into financial issues and arguments about the condo authority, condo owners and the board. I was really impressed to see that.

Some of the stakeholders' responses—I just want to mention one. Condo owners' advocate Anne-Marie Ambert manages the Condo Information Centre, so there are resources that the condo authority can obviously draw upon in order to get some expertise. People have been doing this for a while.

What this Condo Information Centre does is, it collects reports of condo mismanagement and other

owner complaints. That's an important resource, because you can actually learn a lot from the reports that have been kept with regard to mismanagement and owner complaints in order to formulate the condo authority and what kind of education they should dispense to the board and condo owners.

#### 1740

She also served on the review's expert panel. She is largely very supportive of the changes to Bill 106, but says many protections are still missing from the bill, and includes a few of them. Again, this is a stakeholder that was involved in the process, so I hope the government will take her suggestions under consideration.

Inadequate checks on unexplained large surpluses and inadequate owner control over large expenditures: When we talk about any kind of real estate, everyone has a financial interest in that. When you are a condo owner, the condo board is in charge of that money. They need to be held accountable, and condo owners need to know that there's adequate checks and balances of how they're going to be trusted with their money. Because, in the end, the negative result comes back on them with condo fees skyrocketing if they have to actually have repairs done.

More transparency needed for contract procurement, including knowing the names of bidders in order to discourage bid-rigging: That's common sense. We want to make sure that anybody who puts in their bid is the most competitive bid, is the best-qualified for the work, so that you as a condo owner know there's not going to be any kind of hanky-panky going on.

Poor protections against shoddy construction: We already mentioned that.

There's no framework outlining the proper role of condo lawyers paid by condo owners but hired by condo boards often to fight against condo owners. That's a little bit of a conflict.

Those are some of her suggestions. I think, in general, though, there was good work done on this bill. We've talked about some of the gaps that are in there that we are concerned about—not having developers and condo managers in that tribunal dispute process. Maybe we'll get there one day as this evolves into another phase of condo ownership.

Thank you for allowing me to have the time to debate. I know many members in our caucus here are very excited to debate this bill, because it is a big bill. I hope this government will see fit not to have comments about "We've debated this eight hours." That's not the point. We should be able to debate this bill as long as people have a voice in this House and want to contribute to that debate. Everyone's opinion is valid. Everyone's opinion is important. When you start shutting down voices—maybe you've heard the message over and over again, but guess what? Mr. Marchese gave that message over and over and over again and now we're finally listening to it. That's really what I want to also put out there, Speaker.

I encourage every member to debate this bill. Get your voice out there. It doesn't matter if the member before

spoke on the same thing. We need to make sure we effect change, and that's with our voices and bringing them from our ridings through this House.

**The Acting Speaker (Mr. Paul Miller):** Questions and comments?

**Mr. Yvan Baker:** Speaker, I rise on a point of order.

**The Acting Speaker (Mr. Paul Miller):** Point of order from the member from Etobicoke Centre.

**Mr. Yvan Baker:** I believe you will find we have unanimous consent that, notwithstanding standing order 38(b), the late show standing in the name of the member for Prince Edward–Hastings addressed to the Minister of Natural Resources and Forestry be taken up on Wednesday, September 23, 2015.

**The Acting Speaker (Mr. Paul Miller):** Okay. Is there unanimous consent for that? Carried.

We will now go with questions and comments from the member from Etobicoke Centre.

*Interjections.*

**Mr. Yvan Baker:** I'm going to keep talking. I'm very productive this afternoon, Mr. Speaker.

It's my pleasure to stand and speak to this important bill on this important issue and to respond to the comments from the member opposite. I have to say that one of the things that makes me so proud to rise in this House is that we're here to serve the people of our respective communities. I have the opportunity to serve the people of Etobicoke Centre, and I see it as my responsibility to make sure that I'm working every day to improve the quality of life for the people in my community.

There are few things that touch a person's quality of life more than their home and the investment they make in their home. That's why I think this issue is so important, and that's why I applaud the minister for bringing forward this bill. I think it will significantly enhance the quality of life of the people in my community and others who live in condominiums or who buy condominiums.

I think back to my grandfather. He didn't live in a condo; he lived in a house. But I remember how much attention he paid to every element of his house. He took pride in it, and of course he was conscious of the investment that he was making in that house. Condo owners deserve to have that same opportunity, and that's what this bill is designed to provide.

I regularly hear from members of my community who talk about concerns around increasing maintenance fees, who talk about concerns they have about the financial decisions being made by some of their condo boards, about the fact that they don't have a mechanism to appeal some of those decisions. I think that this is a bill that will allow us to move further along in making sure that those concerns get addressed.

I hear the opposition talking a lot about how we need to move this debate along and how we have to get this to committee quickly because they support the bill. On the other hand, I hear them saying that we need to hold this up; we need to debate it longer. We're hearing mixed

messages from the opposition. I say we move this process along and we get the bill to committee and get it passed because, like I said, it will impact members of my community and it will enhance the quality of life of the people who live in condos in Etobicoke Centre.

**The Acting Speaker (Mr. Rick Nicholls):** Further questions and comments? The member from Prince Edward–Hastings.

**Mr. Todd Smith:** Thank you very much, Mr. Speaker. It's nice to see you back in the chair today. I thought, with my change in House duty to Wednesdays, I would be rid of you, but apparently that's not the case.

I would like to bring some remarks on the 20-minute presentation by the member from London–Fanshawe. In the third party, they have a lot of love for this bill. Every one of them has referenced Rosario Marchese, so perhaps when we get it to committee, we can amend it to call it the Rosario Marchese act; God bless.

This is an important piece of legislation in the province of Ontario. I've heard a number of speakers here this afternoon who have said, "I don't have a lot of condos in my riding." But as you walk along the streets of Toronto, condominium buildings are popping up faster than goldenrod is in rural Ontario. These condominiums are popping up everywhere, and it's amazing to me—considering how many members that the government has in the GTA and specifically here in downtown Toronto, where all of these condo buildings are popping up—that it has taken this long to get to this point, where we actually have a condo act, or perhaps the Rosario Marchese act.

You know what? We need this legislation in the GTA in particular because all of the other different acts that are in place—and I think a previous speaker mentioned five different acts in place—don't really touch on condo owners. This is an important segment of the population here in the GTA that now lives in condominiums. They need to have some protection when it comes to their new living arrangement in a condo. I think it's only appropriate that the government has finally acted and brought forward a piece of legislation to deal with these very, very popular places to live.

There are going to be some amendments that we propose when we get this to committee, but it's my pleasure to bring some remarks on the member of the NDP's comments from earlier.

**The Acting Speaker (Mr. Rick Nicholls):** Further questions and comments?

**Mr. Wayne Gates:** It's my pleasure to rise again on Bill 106.

I want to talk about Tarion reform. Ontario homebuyers are supposedly protected against shoddy construction by Tarion Warranty Corp., a private corporation established under the Ontario New Homes Warranty Plan Act. The act requires Tarion to maintain a builders' registration, enforce building warranties, and make sure new homes are built to building code and to a decent standard of workmanship. If the builder doesn't honour that warranty, then Tarion is required to pay for those repairs.



Here's some of the stuff that's not happening. Taron is controlled by the same development industry it is supposed to regulate. So when things go wrong and Taron receives complaints about shoddy construction from homebuyers, Taron has a powerful interest in taking the side of the developer over the consumer. It seems that Taron is far more interested in collecting money from the homebuyers than in honouring their claims.

Accordingly, in a report in 2014, Taron has built up a huge surplus that is now—listen to this, because I know that you Liberals are interested in this—nearly half a billion dollars. That is more than twice its anticipated claimed liabilities and nearly 100 times greater than the amount in claims it actually paid out last year.

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While Taron does not like spending money paying out consumers' claims, it does spend a lot of money hiring lawyers to fight the consumers when they have appeals or denials of those claims to the Licence Appeal Tribunal. According to Canadians for Properly Built Homes, consumers are outgunned by Taron, the builders and the lawyers.

**The Acting Speaker (Mr. Rick Nicholls):** Further questions and comments?

**Mrs. Kathryn McGarry:** It's a pleasure to rise today on behalf of the constituents of Cambridge to add my voice to this very important bill. We've heard around the House this afternoon how important it is and how many condo owners or potential owners are affected by what we're bringing forward.

I know that some of the constituents in Cambridge have put forward some complaints in the past few years regarding surprise increases in condo fees, or major financial decisions that were being made without the owners' consent, or courts being required to appoint administrators to look after buildings in financial crisis.

So I'm really proud that this legislation has come forward, that there have been some consultations around it, and that there have been very thoughtful comments that I've heard here in the House this afternoon that address why this important piece of legislation is really timely and should come forward.

One of the things that I'm concerned about in my riding is consumer protection for owners and buyers. I think we here around the House this afternoon all agree that home owning is a very big investment for many, and those that are getting into the market really need to do their homework before they buy a home. Condos are just, I think, a little bit more tricky when it comes to looking at the legislation.

I'm glad that our government is taking firm action to protect the home and condo owners' investments. The proposed act would set extra safeguards to protect condo owners and buyers and help them to make those informed decisions. It will require developers to give condo buyers a copy of an easy-to-read guide to condominium living at the time of the sale: very, very important for first-time

buyers. It will also provide clearer, more comprehensive rules to prevent buyers from being surprised by unexpected costs after purchasing a newly built condo.

I could say an awful lot more on that, but those are my main comments today.

**The Acting Speaker (Mr. Rick Nicholls):** Thank you. Back to the member from London—Fanshawe for final comments.

**Ms. Teresa J. Armstrong:** I would like to thank the members from Etobicoke Centre, Prince Edward—Hastings, Niagara Falls and Cambridge for their comments on the debate.

As we have all said, this is a hugely important act and there are things that could have been put in there that could improve the act. The member from Bramalea—Gore—Malton is our lead today and really did a great job in comparing the need to have protection from developers—you know, shoddy workmanship or even promises made that aren't kept. He gave a good example about the common room size or even just your lobby area size—you go in and you thought it was something that you're not buying.

It shouldn't be buyer beware, and that is a situation that we should be looking at a little closer, about having that protection from developers. The Taron example, the model, is really not an ideal model. They're like an insurance company: deny, deny, deny, right? It's set up to protect consumers.

There are areas in this bill that we feel could be strengthened. I know it's going to be a lot of regulation that is going to build this bill, and I do hope the government will listen to condo owners. Even though they may not be experts, the information that you gather from condo owners will help you develop those regulations that will make an impact and a difference to their daily lives.

**The Acting Speaker (Mr. Rick Nicholls):** Further debate? I recognize the member from Trinity—Spadina.

**Mr. Han Dong:** There you go. Thank you, Mr. Speaker. My riding, again, has been mentioned many times today, so I definitely want to thank the caucus across for doing that. In doing that, they also stress my point to the minister: how important it is, this bill, to the great riding of Trinity—Spadina. Hopefully, that will make my point more convincing.

I want to go back to what I couldn't finish in the two-minute response to the member from Nipissing. Let's not pit the suburbs or rural Ontarians against urban Ontarians. We are all Ontarians. We are all taxpayers. The fact of the matter is that many residents in the downtown core come from a rural background. If it is true that rural residents right now will be little impacted by this bill, if passed, their kids, many of them, seek post-secondary education and move into urban settings, whether it's Toronto, whether it's Windsor, London—

**Interjection:** Aurora.

**Mr. Han Dong:** —Aurora, of course. They will be renting or they may look at the condo market as a good

piece of investment. So they are affected by this bill, if passed.

Another point I want to make is that we all know that Ontario is a top destination for newcomers when they settle in Canada. We receive somewhere around 100,000 newcomers from around the world. Recently I attended a citizenship ceremony at the CNE, where we welcomed 56 newcomers, new citizens, from 18 different countries. They happen to choose Ontario because it's a good place to live. Many of them will need a place to live and many of them are making that contribution, buying up a property here in Ontario, and a condominium is definitely a good option for their investment. That's what I've been seeing quite often in the downtown core.

I have to applaud our plan. If you remember, years back, when we introduced the greenbelt plan, the reason for it was that we've got to stop urban sprawl. We've got to figure out how we can encourage people to build up as opposed to build out, because it puts tremendous stress on our infrastructure and makes the congestion even worse. So I'm very happy that we took that direction, not only to protect the land to grow for many generations to come—to grow, to play—as well as providing housing to these newcomers, to the growing population. Condominiums do play a huge part in that.

I want to draw the House's attention to a few points. I think there are five points. I'll start off with the dispute resolution. Now, this is one of the focal points to this bill. My predecessor actually talked about an idea—my predecessor, the former member for Trinity-Spadina—where you have a body to deal with disputes—

**Mr. John Yakabuski:** You can name him.

**Mr. Han Dong:** I will name him—create a body that will deal with those disputes, whether it's among the condo owners and the board, or the board and management. But it didn't go into detail. I think it didn't go into the detail of addressing how that is going to work. I think what this bill does is provide that practical solution to that idea in detail. I say "in detail" because in comparison, we're proposing a bill that will create a condo authority that will offer free online self-help, screening and consultation. Beyond that, it costs only \$25 to submit an application in case management. If still not resolved, it costs about \$500, \$550 for mediation and adjudication, compared to what we have right now, which costs thousands and thousands of dollars to get to court.

In my days dealing with constituents, I've dealt with cases where—

*Interjection.*

**Mr. Han Dong:** No, in my days dealing with constituent cases, I remember there were cases where the owners were very upset because they couldn't get the information that they were entitled to.

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They're giving me the indication that it is time, so I'll wrap up and I'll continue in the next session.

I think this bill does bring forward solutions to some of the problems, and I'll go into detail in my next session.

**The Acting Speaker (Mr. Rick Nicholls):** I'd like to thank the member, and you will have additional time when this is brought back up again in this Legislature.

Pursuant to standing order 38, the question that this House do now adjourn is deemed to have been made.

*Second reading debate deemed adjourned.*

## ADJOURNMENT DEBATE

### PESTICIDES

**The Acting Speaker (Mr. Rick Nicholls):** Pursuant to standing order 38(a), the member for Haldimand-Norfolk has given notice of his dissatisfaction with the answer to his question given by the Minister of Agriculture, Food and Rural Affairs concerning neonic regulation. The member has up to five minutes to debate the matter, and, in this case, the parliamentary assistant to the Minister of Agriculture, Food and Rural Affairs may have up to five minutes for a reply. So I will now turn it over to the member from Haldimand-Norfolk.

**Mr. Toby Barrett:** During today's question period, I had an opportunity to raise two questions with respect to the July 1 regulation put in place as part of an effort by this government to ban the use of neonics, neonicotinoid insecticides, on 80% of Ontario's corn and soybean acreage. It's an action that continues to dominate farm discussions and barbecues over the summer.

Briefly, my two questions were: Firstly, to the Minister of Agriculture, your regs question the integrity of consulting agronomists, disqualifying those who work with the seed trade. Where are you going to find sufficient crop advisers who are not associated with Ontario's seed trade sector?

Secondly, Minister, why would you, as Ontario's Minister of Agriculture, regulate a seed itself as a pesticide?

The reason for my dissatisfaction is that, in my view, this wasn't enough time for a fulsome answer to what I consider a detailed technical issue.

Question number one derives from published criteria for professional advisers under the auspices of both the Ministry of the Environment and the Ministry of Agriculture. So, beginning on August 31, 2017, the regs require what's called a professional pest adviser to be independent. To qualify at that time, they cannot derive a financial benefit from a person, including a business corporation, manufacturing or selling a class 12 pesticide. As well, to be contracted as an adviser, one must be recognized as a certified crop adviser certified by the American Society of Agronomy and be a member in good standing of the Ontario Certified Crop Advisor Association, and must be registered as a member—for example, a professional agrologist—under the Ontario Institute of Professional Agrologists Act, 2013, with a field of practice relating to pest control and the



production, processing and protection of agricultural, horticultural and related products and supplies.

I mentioned, in my question, a statement from Peggy Brekveld, a Thunder Bay farmer and vice-president of the OFA, who charged that the regulations are unworkable, saying, "We will be required to have a certified crop adviser inspect our field ... there's only about 100 CCAs that are qualified to do these inspections." She indicated that farmers in northwestern Ontario might have trouble finding an inspector.

The 28,000-member Grain Farmers of Ontario have been forced by this government to go to court to seek an immediate stay on the implementation of these regulations.

In its May 2015 posted amendments to this regulation, 63/09, the Ontario Federation of Agriculture stated that with regard to subsection 8.2(4), they questioned the basis on which the Ministry of the Environment questions the integrity of consulting agronomists. Many engineers, accountants, dentists, lawyers and other certified professionals provide advice to clients despite being employed by or affiliated with a larger firm. Again, they indicated that the numbers would be severely limited, certainly not sufficient to conduct pest assessments required by these regulations.

Now, my second question, Speaker: Just to reiterate, the term "seed" is defined within the amendments as "a seed that, as a result of being treated, is coated with or contains one or more pesticides." However, subsection 8.1 of the regulation indicates that all treated corn and soybean seeds are a class 12 pesticide.

Again, Canada's Seeds Act defines a seed as "any plant part of any species belonging to the plant kingdom, represented, sold or used to grow a plant." Neonics pesticides are not species belonging to the plant kingdom. So there is some confusion here and it's puzzling.

I ask the question again: Why do these regulations take a seed and characterize a seed and define it as a pesticide? It's not a pesticide. It's a seed.

**The Acting Speaker (Mr. Rick Nicholls):** Now over to the parliamentary assistant. You may have up to five minutes.

**Mr. Arthur Potts:** I do appreciate this opportunity provided by the member from Haldimand-Norfolk to be here today and highlight what our government is doing to help producers adapt to and understand the recently introduced regulation on neonicotinoids and our pollinator strategy.

Certainly, improving the health of bees and other pollinators is a necessity. Without pollinators, much of the food we eat and the natural habitats we enjoy would not exist. So to that end and with the support of Premier Kathleen Wynne, as outlined in her mandate letter to the Minister of Agriculture, Food and Rural Affairs, the Honourable Jeff Leal, we are working with our partners in the agricultural sector to reduce the use of neonicotinoid-treated seeds.

Our government released the regulatory amendments to the use of neonic-treated seeds based on a precautionary approach. It has been over a year since we announced our intention to move to regulate neonics, and many months of consultations that began in December 2014. Throughout the process, the minister made it very clear that any changes would be based on four key principles and with input from the agricultural community. Now, these principles are that all producers be allowed to access treated seeds where there is a demonstrated need, that the draft regulation will be implemented over time, that testing for pests will be workable for producers, and that stakeholders in the agricultural community will be engaged in helping develop the appropriate audit procedures.

Starting on July 1, 2015, Ontario did move to restrict the sale and use of neonic-treated corn and soybean seed to improve the health of bees, other pollinators and the environment in general. The new requirements support the government of Ontario's target to reduce the number of acres that are planted with neonic-treated corn and soybean seeds by 80% by the year 2017. Throughout the implementation process, OMAFRA and MOECC staff have been travelling across the province to deliver information and seek input on the regulation. OMAFRA has hosted a number of information sessions, including events for the agricultural industry and farm leaders. The ministries are committed to continuing this outreach and working with the farming community to address any challenges or questions they may have during this implementation period.

The regulation is but one piece in our very broad Pollinator Health Strategy. We all have a responsibility to move forward with an approach that protects pollinators but supports the continued growth of Ontario's agricultural sector. We've taken an important first step toward that goal by developing a regulation to reduce the number of acres that are planted with neonic-treated corn and soybean seed.

As we all know, the declining health and population of bees and wild pollinators is very concerning not only in our province, but globally. Many other provinces, states and countries are also concerned about the decreasing health in population of bees and pollinators and are seeking appropriate strategies to address that. While Ontario has been a world leader, this concern has resulted in many other jurisdictions taking action to protect pollinators.

**Hon. Madeleine Meilleur:** That's good.

**Mr. Arthur Potts:** It's very good.

Pollinator health is a complex topic. There's never a single quick and easy fix to a complex problem such as this, and that's why it is so important that we approach this strategy holistically, to understand all of the contributing factors and develop a plan which addresses them.

Our broader pollinator health action plan will identify steps to address other key stressors: climate change and weather, diseases, pests, pathogens, habitat care and

nutrition. It will take collaboration and innovative thought from all Ontarians to help us reach this goal, a goal that benefits everyone across the province. We will continue to work on the comprehensive pollinator health strategy to strengthen pollinator health and to ensure healthy ecosystems, a productive agricultural sector and a very strong economy.

In closing, Speaker, I'd like to say that the agricultural community in Ontario has a history of modernizing and adapting to changes, and we will continue to do so

together. In short, we will understand that all ag producers will have access to treated corn, treated seeds, where they're needed, and that these regulations will be phased in in a responsible manner.

**The Acting Speaker (Mr. Rick Nicholls):** There being no further matter to debate, I deem the motion to adjourn to be carried.

This House stands adjourned until 9 a.m. tomorrow morning.

*The House adjourned at 1811.*



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No. 97

N° 97

ISSN 1180-2987

## Legislative Assembly of Ontario

First Session, 41<sup>st</sup> Parliament

## Assemblée législative de l'Ontario

Première session, 41<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Thursday 17 September 2015

Jeudi 17 septembre 2015

Speaker  
Honourable Dave Levac

Clerk  
Deborah Deller

Président  
L'honorable Dave Levac

Greffière  
Deborah Deller



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# LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 17 September 2015

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 17 septembre 2015

*The House met at 0900.*

**The Speaker (Hon. Dave Levac):** Good morning. Please join me in prayer.  
*Prayers.*

## ORDERS OF THE DAY

### PROTECTING CONDOMINIUM OWNERS ACT, 2015

### LOI DE 2015 SUR LA PROTECTION DES PROPRIÉTAIRES DE CONDOMINIUMS

Resuming the debate adjourned on September 16, 2015, on the motion for second reading of the following bill:

Bill 106, An Act to amend the Condominium Act, 1998, to enact the Condominium Management Services Act, 2015 and to amend other Acts with respect to condominiums / *Projet de loi 106, Loi modifiant la Loi de 1998 sur les condominiums, édictant la Loi de 2015 sur les services de gestion de condominiums et modifiant d'autres lois en ce qui concerne les condominiums.*

**The Speaker (Hon. Dave Levac):** When we last debated, the member from Trinity–Spadina had time left. The member from Trinity–Spadina.

**Mr. Han Dong:** Good morning, everyone. I'm very pleased to continue the debate. I'll be sharing my time with the Minister of the Environment and Climate Change.

Continuing what I was saying, this is a good bill. It's a very comprehensive bill. It started off with a good idea, and when we look at it now, it offers very practical solutions. I'm speaking of the dispute resolution process. It was done with wide consultation, a full range of consultation. When a government goes out and listens to people, condo owners, stakeholders and other experts, that's how a good government bill comes together.

I remember last year, Minister Tracy MacCharles, who was the minister responsible for this file, made an announcement about this government planning on putting together a regulatory body for the management. I was there at the announcement, listening to every detail, and I had a chance to chat with the stakeholders. It was very well received because they all felt that it was necessary, that there was a need for it, including those in that industry.

In my short time of having the honour of representing the great riding of Trinity–Spadina, I also held informa-

tion sessions to talk about the consultation process, to talk about the will of putting together the government's development of this bill. What we've heard in the riding from condo owners and from residents' associations are the same concerns that are captured in this bill.

I want to talk to the registry because I know that if this bill passes it will, for the first time ever, start collecting data from condo boards and have a registry of condo board members. This is a good step forward.

I look forward to more consultation during the development of regulations, as well as in clause-by-clause, and look forward to more discussion on fine-tuning this bill. I think this bill has constructed a very good overall structure, moving forward in the right direction to provide more protections.

In my riding in the summer, I spoke to residents who have great concerns about the current situation, where they, as owners, felt they don't have much say on the board. Now, I remind them to get active and get involved, to be on the board, to keep a constant dialogue with the board and let them know what type of information they are seeking. But I think this bill is going to give more authority, more power to condo owners and bring more transparency to the practice.

The other thing I want to mention is financial management. The proposed act would strengthen the financial management rules for condo corporations to help prevent fraud and mismanagement. Too often we hear cases in our constituencies across the province about possible fraud or mismanagement of funds. For example, it would forbid condo corporations from finalizing some contracts unless they have fulfilled certain procurement process requirements. That is very, very important.

In my riding, there are new condos being built every day. Going forward 10 years from now, 20 years from now, elements of nature will deteriorate the structure of these buildings, and they have to be kept in shape to make sure they're safe to live in and safe for the surrounding neighbourhood. So it's inevitable that the board will have to make procurement decisions, and we want to make sure, with this opportunity, that these decisions are made in an accountable and transparent way to the owners.

Lastly, I want to remind the House that with condo dwellers—a lot of them in urban settings—there comes a need for the attention of this House, actually, and a shift of resources as well. We know that transit is a big concern. We know that social services—I mean like recreation, day care—are a big concern. These services have to be in place to serve these newly founded communities.

People often don't realize they need a comprehensive consumer protection bill when they actually enter a dispute. I commend the government, Minister Tracy MacCharles and Minister David Orazietti for putting so much time into this bill—wide consultation—to put together this fantastic, comprehensive bill.

**The Deputy Speaker (Mr. Bas Balkissoon):** The Minister of the Environment and Climate Change.

**Hon. Glen R. Murray:** The member for Trinity-Spadina and I jokingly refer to our constituencies as vertical constituencies. I think that between the two of us right now, we have 81 towers that are in some stage of construction. As you know, right now we have a federal election on, and our two ridings are now three. The major reason for that is this explosion of condos. I've only been in this House for about five years. In those five years, I think I've added somewhere between 30,000 and 40,000 new constituents. I mean, that's a small city that has been added. So the government is acting with some urgency on this, because the more condos you build, the faster you build them—

*Interjections.*

**Hon. Glen R. Murray:** I have the rapt attention of my colleagues, Mr. Speaker. It's so wonderfully affirming to be on such a—

**Hon. Michael Chan:** We are talking about what you're talking about.

**Hon. Glen R. Murray:** They're jealous that the member for Trinity-Spadina and I have way more condos than they do. I won't describe what kind of jealousy it is, Mr. Speaker, but it has something to do with condos.

**Mr. Mike Colle:** It's called condo envy.

**Hon. Glen R. Murray:** It's called condo envy: envy of big buildings.

I mean, 1.3 million or 10% of the population is very significant, and it's a new concept in housing, because there are so many shared responsibilities that it has introduced a lot of complexity. The MPP for Eglinton-Lawrence has been a big advocate for condo reform, and I want to recognize his contributions to this as well because he was one of the first MPPs here to start to raise this at our caucus, and through his constituents, he started to advocate for these kinds of things.

0910

But, Mr. Speaker, most importantly going forward, you realize that in Ontario—not just Toronto, not just Ottawa, not just our big cities—50% of all housing being built right now are condominiums. So while they're 10% of the built residential environment right now, at 50%, they're going to—and they're important as well because our transit investments, our \$130 billion in infrastructure, are very strong, and the great work that the member from Vaughan, the Minister of Transportation, is doing.

We have to build a new type of environment spatially in our communities, whether it's the ION in Kitchener-Waterloo, which we're contributing to, the LRT in Hamilton, the great work that's coming out of London in the planning stages, Ottawa's Confederation Line, the five-minute GO line or the Viva bus systems. I could go

through a whole long list of them, but it's interesting that one of the things that's making transit viable is the fact that we have a high alignment of higher density neighbourhoods.

In my community, 70% of my constituents in the central part of my constituency from Bloor-Yorkville south do not own a car, which is, from a climate change perspective, quite remarkable, given that transportation and vehicles are our largest source of emissions. So this new bike-friendly, condo-friendly environment—and it's happening in smaller communities as well. In Elliot Lake, you see condos that are for retirement. So the complexity of this has really meant that a number of things have to happen to do that.

This bill, and I say this as a condo owner living in a condominium—I remember Margaret Wente in the Star, reading her advice to her followers: The one thing one should never do in life is buy a condo from plans. I bought a condo from plans. It was one of the most exciting experiences of my life when I arrived and there was nothing but two pipes where the bathroom was supposed to be and only half the heating-cooling system was in place, which is costing me about \$12,000 in replacing both the HVAC systems. So you have a lot of issues. My experiences with Tarion were really good.

The issues you get into when you move into a new condominium, especially bought from plans, are one level that you're dealing with. I was very glad that we had a condo board, which deals with a lot of the issues of procurement for the building, because when you move into a building, the common area, the common elements, all involve a lot of—carpeting isn't in place, painting isn't done, the systems and the pumps and the swimming pool were not properly installed.

So having the kinds of protections that we're putting in, that boards have to provide more information to condo owners about any acquisitions or positions, will drive a lot of the fraud problems that have occurred with some management companies—the licensing and disclosure and dispute resolution process actually formalize and legally give all condo owners protection when there are issues that need to be resolved.

Condo management licensing is, I think, one of the most important parts of this bill. Anyone who has been in a condo association knows that the two things that seem to change a lot in the first five years are the condo management company and the security company. No one ever seems to like the one the developer or the builder picked. The proposed act would establish a separate piece of legislation, the Condominium Management Services Act, that delegates administrative authority to regulate condo managers and management firms by establishing a compulsory licensing system. Regulations under the act would set training and education standards for condo owners and for the ethics they practise. Because, as you know, at the root of almost all of the problems we've had with condominiums, when there has been fraud, when there has been tampering with the reserve funds, when there have been transactions or acquisitions by the condo



that were not legal or have burdened condo owners with things that were expensive—it is really setting a standard for condo managers and buildings that's transparent. So now they will be licensed. Both the builder-developer and that first board of fresh young faces that takes over from the condo board will actually now have the ability to go to a place and see an independent assessment and know that they're not fly-by-night operations, and they'll know what the record of the condo management companies is.

One of the other things that I think is really critical is that we start to look at how condos will be run. This act would make it easier for condo owners and boards to participate and vote at meetings. For example, the condo board would no longer have to pass a bylaw in order to hold a meeting through conference calls or use some off-site management technique.

I live in a building with 236 units. Most of my neighbours—some of them are retired folks from the suburbs or from small-town Ontario, often, who have moved into the city, who don't want to have to manage their life with a car; they want to be in a neighbourhood where they can walk to places. They don't want a big house anymore. They want to have to clean only one bathroom and vacuum 700 square feet of space, not 3,000 or 4,000. They generally find it fairly easy to participate in condo life. But the majority of people in my building are young professional folks who work in banking downtown or financial institutions. Some of them are young professionals. Many of them travel, and many of them are single people.

Right now, if you want to do a teleconference or a phone-in conference, you can't. You have to have a meeting in the building and you have to do it on one evening. One of the things we struggle with in my building is that every time we have an annual general condo meeting to elect our new board, to look at our financial statements, to talk about problems with the building, security issues and that, we have to do it physically. This simple change, bringing in such a simple thing as allowing phone-ins and video conferencing, allowing people to participate electronically in these conferences, is going to be huge. It's going to democratize it, and it's going to be very much more realistic, especially for the young generation of highly busy people who work and live in condos who right now can't often—their schedules don't allow them to be there for a 5 o'clock meeting in the evening.

I think I'm going to wrap up. I just thank Minister MacCharles and Minister Oraziotti for their great leadership in this. I hope that my friends opposite will see the value of this bill and support it.

**The Deputy Speaker (Mr. Bas Balkissoon):** Questions and comments?

**Mrs. Gila Martow:** I wanted to add to what the Minister of the Environment and Climate Change was just saying about the Viva bus system and better transit systems. What I can say is that it's sort of like baking a cake, Mr. Speaker: You can't be missing any ingredients. We're definitely missing some ingredients right now.

In my neck of the woods, up in my riding, we have the World on Yonge, which is an enormous, enormous condo complex of three towers and some retail at the bottom. It has been in the works for quite a number of years, and people are finally moving in. But it was designed to have a subway station in mind below this enormous complex, and yet the Yonge subway line, even though Metrolinx—every time they do a report, it seems to be at the top of the report in terms of priority; it just doesn't seem to get done.

So we are building Viva bus lanes, criss-crossing all over York region. The price tag is getting up to close to half the cost of expanding the Yonge subway. The whole point of building these Viva bus lanes is to connect to a Yonge subway. Without the Yonge subway, why are we building these Viva bus lanes? That's what I'm questioning. So let's get to work on not just protecting condo owners but ensuring that condo owners are not looking to buy condos where there is parking, that they're not looking to even have a car. Too often, north of, I would say, Sheppard, you cannot even contemplate having a condo without having a car. We need to make that a priority, and I hope somebody is looking into that: that, yes, we're going to allow higher condos to be built but not with so much parking—and to get working on the transit that is needed, not just to get cars off the road but so that condo dwellers can enjoy our city without the necessity of the expense of having a car.

**The Deputy Speaker (Mr. Bas Balkissoon):** The member for London West.

**Ms. Peggy Sattler:** It's a privilege to rise on behalf of the people I represent in London West to respond to some of the comments that were made by MPPs on the other side of the House. In particular, I wanted to comment on some of the points that were raised by the Minister of the Environment and Climate Change. He highlighted some of the work that has been done by members of his caucus to sound the alarm on this issue and push for reform, but in fact, Speaker, I wanted to remind this House that it was the former member for Trinity-Spadina, my esteemed former colleague Rosario Marchese, who really was the leader in pushing for reform on this issue. He tabled the first bill for Condominium Act reform back in 2007. The government refused to listen. They refused to acknowledge that there was a problem. They said the existing system worked just fine. Rosario didn't give up. He tabled three more bills, with a total of four bills overall. The last bill was tabled in 2012.

**0920**

Really, it was the falling glass from Toronto condo towers that precipitated the condo review that the government finally launched.

I also wanted to talk a little bit about condo manager licensing, which the minister also referred to. Yes, definitely, it's very important, but why was this not fast-tracked? Why is it not covered in the tribunal? The government committed to fast-track this issue back in 2013. There was consensus among stakeholders that this was necessary, and yet we've had to wait two years to

see this come forward. And in the end, condo managers aren't included in the dispute resolution tribunal.

**The Deputy Speaker (Mr. Bas Balkissoon):** The member for Eglinton—Lawrence.

**Mr. Mike Colle:** I just want to thank the member for Trinity—Spadina and the member for Toronto Centre, the Minister of Climate Change.

The interesting thing here is that I went to a meeting about condo development. I have a lot of it in my riding, too. Someone stood up and said, "Mike Colle, you caused all these condos." I said, "What are you talking about?" "Yes, it's because of you." I said, "What do you mean?" "Well"—and the member from Timmins—James Bay will remember this. We stopped them from paving all of the Oak Ridges moraine. Remember, they were up there, Gilles? They were up there paving every square inch of wetlands up in the Oak Ridges moraine. In fact, we ended up in this House eventually protecting 1.1 million acres of land, the greenbelt, the Oak Ridges moraine.

The developers were saying, "You're putting everybody out of work. There will be no more work for construction." I think the developers are doing quite well. You can see they've already built 1.3 million units. Sure, there are challenges with condo development, but there's work. There are 50,000 units under construction and another 30,000 in the approval process. That's the reality. I have four towers being built right now at Dufferin and Lawrence.

There is so much going on in all of our communities. That's why this whole issue of condos and changing legislation has been needed, because there has just been an unprecedented amount of construction of these new homes. So it is a very compelling issue. It is necessary. We all have to make this a good piece of legislation because, as I said before, I went through this in 1998 with the Conservative government. It is very daunting to try to get this right.

**The Deputy Speaker (Mr. Bas Balkissoon):** The member for Wellington—Halton Hills.

**Mr. Ted Arnott:** I'm very pleased to have the opportunity this morning to respond to the presentations of the member from Trinity—Spadina and the Minister of the Environment and Climate Change, who spoke just now on Bill 106, the Protecting Condominium Owners Act.

Yes, it's my understanding that our caucus is generally supportive of the principle of this bill and, in fact, looks forward to continued discussion on it when the bill goes to a standing committee of the Legislature, hopefully listening to the public and crafting the necessary amendments to improve the bill and strengthen it.

I would like to offer the House a situation in my riding for consideration. There is a beautiful renovated condominium building in Fergus. It was an old mill situated right beside the Grand River. It's on St. Andrew Street East in Fergus, very close to Gartshore Street. It was renovated a few years ago. Of course, the units were sold. It eventually came to the attention of the condominium owners that situated actually within the building is an electricity-generating turbine. They were concerned about

the vibrations that this electricity-generating turbine was causing in the building, perhaps causing structural issues. They came to me seeking my advice as to whether or not the provincial government regulated these sorts of things. We wrote countless letters to a number of ministers about this issue and we discovered that the provincial government does not regulate these. These situations are actually very unusual and some of the staff indicated to me that they had never heard of such a thing.

This is clearly an issue that needs further discussion. Again, I have written a number of ministers and continue to advocate for my constituents. We need to get some consideration. It would seem something, logically, perhaps, that the Technical Standards and Safety Authority might regulate, but I would ask the government to consider it, and I'll follow up with the relevant ministers.

**The Deputy Speaker (Mr. Bas Balkissoon):** I thank everybody for their comments, and I'll return to the Minister of the Environment and Climate Change.

**Hon. Glen R. Murray:** I don't want to miss my friend from Wellington—Halton Hills, just on the heritage thing, because this is a complex issue, one that I hope should be a non partisan issue.

I'm always frustrated in Toronto because we put these glass towers up and heritage preservation is taking the facade of the building that was there before and attaching it to this glass tower like a sticky note—I call it sticky-note heritage—and the challenges of incorporating building fabric. Today we have private members' public business, so I think this is one of the issues that maybe this Legislature could start addressing, so I was very pleased to hear you raise that.

I want to thank my friend from Thornhill. I think sometimes we forget what a backlog we have in Ontario. I don't say this in a partisan way, because we made some mistakes over about 50 years in Ontario. The last Premier to be spending the amount of money and investing what we are in infrastructure was John Robarts. The last year in Ontario that we came anywhere near the equivalent—

*Interruption.*

**Mr. Gilles Bisson:** I think that's Robarts calling you.

**Hon. Glen R. Murray:** I doubt it. He's probably calling Mackenzie King.

Mr. Speaker, today's annual investments of \$13 billion in transit, roads, waters and sewers haven't been seen since 1967. As a matter of fact, at the beginning of this decade, we were down to \$1 billion a year, which was the lowest level of spending; we were spending 25% of what other provinces were spending for about 40 years in this province, from the 1970s on. It's only been a decade, really, that we've been back at those levels, so the backlog is evident in those things.

I hope the member from Thornhill will be committing and advocating with the federal government to get up to the levels of the spending it had in the 1960s, to match the Ontario government, the BC government and the Quebec government, because you can't have a condo boom unless you have a transit boom. And I think the member from Eglinton—Lawrence made that point, that land use is so critical—



**The Deputy Speaker (Mr. Bas Balkissoon):** Thank you. Further debate?

**Mrs. Gila Martow:** What I would say is it's not just an issue that we just throw money at in terms of building the transit for the condo development. It's about prioritizing those transit tax dollars.

What I was mentioning before is, yes, I was saying that we do need to get moving on the Yonge subway since is a priority project. What I was suggesting is that we need it to prioritize those transit dollars to get the Yonge subway built, because we're spending an exorbitant amount of money on Viva bus lanes, \$640 million already. We're not seeing increased ridership, according to the data. In fact, the increased ridership on the Highway 7 line doesn't seem to even be keeping up with the growth in population.

What are we hearing? We're not hearing about maybe putting a bit of a pause on some of the bus lanes and getting that Yonge subway engineering planning report done. We are hearing a proposal to build Viva bus lanes on Bayview. I have to really question the planning wisdom of how those transit tax dollars are being spent.

Yes, of course, we are behind the times in the amount of money we have invested in these projects. Perhaps there needs to be some kind of transit fee involved in condos, because any of us who have ridings with significant numbers of residents who are dwelling in condos—they say, “Why are my municipal taxes so high? Very few of us have children in school”—which is a good point, but we don't take that into account. “We have our own garbage collection system; maybe we're paying for the city garbage collection system, the way the houses go along the roads and sometimes there are big lots. Why should we be paying for that level of garbage service when we're basically bringing it to the bins and taking it away ourselves? Why are we paying probably the same rate of snow removal service per square foot of dwelling when obviously we have our own snow removal system and we don't require the snow removal system of the city?”

So these are all questions that have to be addressed, and I have a feeling that we're going to see a bit of a revolt at some time from condo dwellers saying, “Listen, we are paying condo fees. We have to pay condo management fees. We have sort of our own municipal tax system built into the condos. Why are we paying such a high tax rate to municipalities?” They're going to want to pull back from that.

0930

Maybe what we should be doing is taking the bull by the horns and saying that part of the municipal taxes that condo dwellers pay for, say—I'm just throwing it out there, because I haven't seen any data, but I would guess garbage and snow removal would be the two biggies. That money should be going towards transit development, specifically in conjunction with condos. What I mean by “in conjunction” is when we have the walkways above ground or underground, so that condo dwellers can easily get to trains, subways and bus terminals without

braving too much of the elements or crossing busy streets. I think that would make life a lot more pleasant and safer, and people wouldn't be hearing, as the member suggested, from residents complaining about either too many condos or too-high condos or things like that, because the entire neighbourhood around the condos would be benefitting if there was great retail, great cultural venues and great transit connected to those condos.

Before I got involved in provincial politics officially, I was very often at Vaughan council chambers, listening to the deputations and giving deputations, even. One councillor, Tony Carella, stands out in my mind, because when there were so many issues involving condos, he said, “You know what we need? What we need is a condo councillor. We need somebody who is a councillor not just for a ward but just for the condos in the city.” Basically, all the other councillors would not be in charge of the residents and the condo units; we would have one councillor.

Everybody took it as a joke, but I said to him afterward, “I see your point,” because the condo dwellers had very specific concerns and needs, and there were very complicated governing rules and regulations for the condos. If each city councillor had to be an expert in all the bylaws affecting condo living as well as residents, he felt that maybe we would be better off having somebody who focused on condos. What I suggested to him was that maybe the councillor for the smallest ward would also be in charge of some of the major condo complexes in sort of a supervisory way.

As politicians, we've all done door-to-door canvassing. Ideally, I think if we had to say, “Where do we want to go canvassing?”, we would all probably say, “Townhouses.” I certainly would, because they're close together. They're homes, and you're knocking on the doors, and there's not an access issue. It's sort of a community. People sort of know their neighbours, know if their neighbours are home or not home, or who lives there. I personally find that the most pleasant days of canvassing are the townhouses. The homes with separate lots: Obviously, you're getting a lot of exercise, but you're not accessing as many people, which is the point of canvassing.

Then there's the apartments and the condos. Mr. Speaker, I'm sure you're aware, as everybody else is, that there are challenges to canvassing condos. They don't normally let in what they call “solicitors,” but because of the government regulations—and politicians, I suppose, take care of politicians; they didn't want to limit access for politicians speaking to residents—they cannot not allow us to canvass a condo.

Well, you can have a law, as we all know, in writing—and this regulation is coming out, and it will have all kinds of protections for condo residents. We're all quite aware of that. But oftentimes, just because something is on paper—it's in writing; it's a law—doesn't mean that it's easy to implement.

We have all, I'm sure, had times when we planned to canvass a building and we were not able to get in, be-

cause we don't know anybody in that building to buzz us in. On top of that, whoever is working—the concierge, if there is a concierge—they don't believe they have to let a candidate in to canvass. Maybe there's nobody answering the superintendent's or security's phone number. It's frustrating, because we have literature and we do want to speak to people.

Then there are the times when we do gain access to the condo or the apartment, and people are upset, because they're not used to people knocking on their door, and they're frightened. Oftentimes it's seniors. In many of the buildings, it tends to be a little bit of an older demographic.

I had, I would say, my best experience canvassing—it wasn't a condo; it was an apartment building—when I went up to Simcoe North to canvass for our new leader, Patrick Brown. The superintendent came right out when I pressed the button and said, “No, no, no, we don't like that.” I had the act with me and showed her and read it to her and said, “I'm sorry. Nobody likes to be disturbed. Nobody likes to have knocking on the doors. I understand that the residents might be calling you and complaining: ‘Somebody's knocking on my door. What should I do? Do something.’”

I said to her, “If you don't want to have the people phoning you”—she right away jumped on me and said, “Yes, I don't want the people phoning me.” I said, “Well, if you're not busy now, why don't you walk through the building with me?” And she spent the next hour and 15 minutes walking with myself and my friend who came with me. We went from apartment to apartment, and she physically knocked on the doors, the superintendent, and she spoke to the people.

Oftentimes, while we were at the door, half of it was talking about the coming by-election. The other half was her communicating with people and saying, “Yes, we're going to be looking into fixing that door,” and “Yes, don't forget; last time, you parked too close over into somebody else's spot,” and all the issues. She was very well loved. Her name was Deborah; that stuck in my mind, because she was such a wonderful woman. Deborah was so well liked that I felt she deserved some kind of tribute, almost, for the way she managed this building. She knew who was babysitting, and who was working nights and we shouldn't knock on their door, and she would slip the literature under the door for us.

What we have to recognize is that the condos themselves are communities. They do have boards; they do have management systems. I think, as politicians, we've heard many complaints from residents saying, “What can you do? I love this building, but I cannot stand this management team. They're only in it for themselves. I reserved the party room, but then they cancelled it because they said they needed it for their own meeting.” And there's this kind of infighting. It's a little bit like high school, where you have the cool people, I guess, on the board, and they're doing things that they want to do.

We might think, “Well, it's just a lot of fighting about”—I know I got a call at my constituency office

about somebody who wanted the CCAC to do exercise classes in the party room in the condo. The condo didn't want to allow it. It's a type of seniors' exercise class. They didn't want chairs scraping.

I spoke to the condo manager—the president of the board, I believe. There's the management team that manages the day to day, and they hire the window cleaners. Then there's the condo board, which is more volunteers. That's where I'm talking about more the infighting, that if you're not on the right side or friendly with people on the condo boards, it's harder for you to get your opinions and your desires through.

What the president of the board did say, and she made a good point, was, “This isn't a seniors' building. This is a seniors-only exercise class, and I can't vote for an exercise class in the party room that is only for seniors, and other people can't join.” Well, you know what? People are going to have mah-jong; people are going to have private parties.

What I'm trying to say, Mr. Speaker, is that I think it gets very complicated, and you can't legislate people to get along. I guess that's part of a lot of the problems in the condo units. Yes, we hear of fraud. Yes, we hear of mismanagement and money disappearing. But a lot of the problems that we hear about from condo dwellers are just about people living in very close proximity having a hard time getting along. It's about noise. It's about cooking smells. It's about leaving your bicycle or your dirty shoes out in the hall. It's about damaging joint property. It's about not wanting to pay for the shared costs of running the condo.

Let's face it: In condo buildings, you don't just own your condo. You own a share of that entire complex—not just the building, but the entire complex. I think that people here have heard, as I have, of enormous costs where people have bought condos, they're on a limited income, and a year or two after moving in—maybe that was why the previous owner sold—they are all of a sudden being hit with enormous bills to help pay to rebuild underground parking. We have to be concerned about that, because underground parking garages are very often supporting the buildings, I'm sure. If we're allowing salt or corrosive materials, if people are repairing their cars, if people are storing dangerous materials—I would hope, Mr. Speaker, that we have members, perhaps, of the fire department going around each year and checking the underground parking, checking the ventilation systems of the underground parking, because they can be very dangerous places.

**0940**

In terms of managing condos, I have to commend the city of Vaughan. They set up a task force of councillors and residents to look at the management of condo buildings, and I think it was because they recognized that we've had this enormous condo development, and with it comes a new set of challenges from residents who are living in the condos or living near the condos.

We have to recognize, as the Minister of the Environment and Climate Change is often speaking about, with



the outdoor climate that we're living in, that the wind tunnels that develop between condo buildings—we see it downtown—can oftentimes, for somebody who's fragile, for somebody who's weak, for somebody who's elderly or has a disability—I can talk from personal experience. I'm not the biggest person around, and I've literally felt myself being almost lifted off the ground by some of these powerful winds. We have to look at that.

We have to look at cell towers that are going on top of condos. I've heard many complaints from residents who say they don't want cellphone towers, even though it has been explained that, "Well, why should we erect a structure to put a cellphone tower when we have condos in the neighbourhood, and that's a tower by itself?" It just makes perfect sense to put this cellphone signal up on top. The data actually shows clearly that the people in the condo right underneath are not getting the signal as well as neighbouring people because it fans out; it doesn't fan out and come around into their units. But they're worried about resale value. We're always hearing, Mr. Speaker, for anything to do with property, that people are worried about any changes because they're worried that it'll inadvertently affect their resale value when they go to sell. They're worried that if their building has a cellphone tower on it, that might make it less desirable, that some people might not want to buy. So why should they want that? Maybe whatever money is being generated could go to the people in the condo to offset their monthly fees. Maybe that would be a way to convince them to have the cellphone towers. You can't take away from people without giving them something.

Perhaps we have to put in this legislation that anybody who buys a new condo cannot block a cellphone tower or other signals or anything from being put on top of the roof—in the fine print, so that later on nobody has to be asked; they've signed, and they've already given permission. It's something that could help us in terms of our ability not to have to build these towers everywhere, which I think are really quite an eyesore. It makes me nervous when you see some of these really high towers just standing there in the middle of nowhere—how safe they can be when they're so tiny in their width.

The condo boom in Toronto, I think, is going to continue. There are 30,000 condos just in the planning stage, I believe was said. We're all seeing that, in downtown Toronto, we're certainly becoming what we would call more than a city; we're becoming a metropolis. We see people on bikes using the bike lanes. We see people walking. That's what makes a healthy city, when there are people out on the streets. So we don't just want to have the condo towers connected underground and that everybody is living in these underground cities. We want to see people out on our streets.

We want to also take into account that a lot of people are now living in condos with children. It used to be that we didn't consider that when condos were being developed. Perhaps more child protection has to be addressed—that we want to see every new building have some kind of a playroom for young children, not just

exercise equipment for adults. Maybe we need to have some kind of a fun playroom for children, because we don't want the kids to be inactive. We know it's challenging, if you're up in a condo, to get the kids outside. I would like to see ways of making condos more family-friendly, Mr. Speaker. Perhaps even up on the roof would be ideal to have some playground equipment or something fun up there for the kids.

I think that we're going to see a lot of challenges ahead. That's our job here in the Legislature, to try and predict what the challenges are going to be in terms of changing our way of living and our way of interacting. Some of the challenges, of course, will be more children and schools, and maybe daycare spaces and things like that.

The other challenge is pets. A lot of condos try to not have pets. I've heard that that's been challenged. I hear mixed reports about whether they are legally allowed to actually ban pets. Maybe we have to take that step of addressing what are appropriate pets for condo living, because when you hear of a Great Dane living in an apartment or a condo, is it animal abuse? I don't think it's fair. I don't think anybody who has had a dog thinks that a large animal in an apartment or a condo is terribly appropriate. Maybe we have to take that into account in terms of the roof space, that it can have a little bit of an Astroturf area for pets or something to that nature.

I think that there is a lot of support, certainly, for the way disputes get managed with condos; the way boards are formed; the way managers are trained, supervised and licensed; and greater transparency and greater accountability.

Especially with computers and systems like that, perhaps we have to say that condo management has to keep their monthly expenses online so that anybody in the condo can see where the money is going, because I think a lot of these complaints are unfounded. They see that they're spending a lot of money and they don't see the results because there are a lot of hidden costs.

I think that condos in themselves are another layer of a sort of governance. We have federal, provincial, municipal and now we have the condo levels of government.

Thank you very much, Mr. Speaker. I'm really happy to see progress in terms of many of the condo dwellers living an enjoyable and stress-free life.

**The Deputy Speaker (Mr. Bas Balkissoon):** Questions and comments?

**Mr. Wayne Gates:** I'm proud to stand again and talk on Bill 106, and in particular talk about Taron. Taron is the only deregulated authority established by the government with the power to create its own regulations without government approval. As a private corporation, the Ontario Ombudsman and the Auditor General are not allowed to investigate Taron. The average compensation at Taron is over \$100,000, with an unknown amount going to Taron's CEOs and nine vice-presidents.

Taron has a builder arbitration forum where builders can appeal Taron's decisions quickly and cheaply without going to the LAT, but unfortunately, there is no such process for consumers.

A recent Toronto Star investigation found that Taroni does not disclose its records of risky builders to consumers, even as it—

**Hon. Glen R. Murray:** Point of order, Mr. Speaker.

**The Deputy Speaker (Mr. Bas Balkissoon):** Point of order.

**Hon. Glen R. Murray:** Mr. Speaker, this bill is not about Taroni. I think the member is out of order. Maybe he could speak to what the bill is about. I'm sure we'd like to—

**The Deputy Speaker (Mr. Bas Balkissoon):** Thank you.

I'd ask you to carry on and at least comment on the bill.

**Mr. Wayne Gates:** I believe it's what should be in the bill. That's the problem. If you're going to put a bill together that's supposed to protect consumers, then you should be taking a look at Taroni and finding out what they're doing. That's what the issue is.

I appreciate the person standing up from the Liberal Party and saying something, but let's be clear here. In 2013, Rosario—who, by the way, put the bill forward in 2007, and it's been eight years since it came forward—tabled a bill to put Taroni under the oversight of the Ombudsman and the Auditor General, along with other reforms.

Is Taroni another Ornge? That's the problem that we have. If not, will this government make Taroni open up its books and prove that it's not?

0950

**The Deputy Speaker (Mr. Bas Balkissoon):** Questions and comments?

**Ms. Eleanor McMahon:** I'm pleased to stand this morning and join my colleagues from Thornhill and Niagara Falls in discussion of this important legislation. I have several condo buildings in my riding of Burlington, and we're a community that's built out, essentially. Our future in Burlington is going to come through infill development and building up, and that means condos. We have several now; we're going to have several more. So I know that the citizens in Burlington will be thrilled, as I am, to see our government taking leadership in terms of creating a regulatory framework that will help and serve both condo owners and the administrators of condos by bringing transparency and making everyone's life simpler.

There's a commercial on television that's called "pushing the easy button." We should be, and I think we are here, trying to make people's lives easier and more predictable by giving them the tools that they need. The other reason, and I know the member from Thornhill was talking about this, is that cities around the world are investing in transit-related development, and the reason that they're doing that is because they're following the lead of each other. We live in a globally competitive economy, and cities like Chicago and New York and San Francisco are competing against each other, and we're competing against them, too, for jobs.

The future means that more people are going to be living in more condensed and more dense communities, and certainly Burlington is going to reflect that. Attracting future jobs through investment in Burlington means more condos. It means more bike- and walk-friendly communities. It means safer, more connected communities, and so I thank and I applaud and I ask members across the aisle to support this legislation and make sure that they're giving consumers in their ridings the tools they need to govern themselves in a simpler, more effective and transparent manner.

**The Deputy Speaker (Mr. Bas Balkissoon):** The member for Wellington—Halton Hills.

**Mr. Ted Arnott:** I'm very pleased to respond to the member for Thornhill who gave a very interesting speech this morning. She is an outstanding member of our caucus and a real leader in this Legislature, and I want to commend her for the participation that she offers in this House on a day-to-day basis. But certainly Bill 106, Protecting Condominium Owners Act—we continue this debate, and it's an important debate.

We talk about, in this bill, the rights of the condominium owners, and certainly the condominium owners in all parts of Ontario, all the communities, I think would expect highway safety and road safety to be a high priority of the provincial government.

I want to inform the House of a situation in my riding, in the community of Georgetown, near a condominium development called the Sands, which is at the intersection of Guelph Street-Highway 7, in the built-up area of Georgetown, and McFarlane Drive-Hall Road. I have been approached by a number of the owners of the condominiums, as well as the leadership of the condominium development, and they have asked me to make inquiries with the Ministry of Transportation to see if traffic signals can be installed at that intersection. I've had a number of meetings with them.

The mayor of the town of Halton Hills, Rick Bonnette, has been involved, as well as other members of council, and we're trying to get the government to look at this issue in light of the reality that there is going to be considerable new development near that intersection, which will only add additional traffic pressure. They tell me that it's very, very difficult to make a turn coming out of their building most of the day because of this very busy stretch of Highway 7-Guelph Street through Georgetown.

I raise this issue with the members. I certainly want to continue to advocate for my constituents in this regard, with this particular issue, and we would hope that the Ministry of Transportation will continue to do whatever it can. Certainly, as I say, the safety of condominium residents should be an important consideration in this debate.

**The Deputy Speaker (Mr. Bas Balkissoon):** The member for Nickel Belt.

**M<sup>me</sup> France Gélinas:** I too would like to congratulate the member from Thornhill for her comments this morning. It was a good balance of talking about what's in the



bill, what's not in the bill, and how it affects people she represents, so well done.

This being said, I too will focus a bit as to what is not in the bill. When Rosario Marchese started pushing this bill forward in 2007, it was clear that action needed to be taken back then. Fast forward eight years later, still nothing has happened. Why am I talking about time frames? It's because it takes a very long time to bring a piece of legislation forward and finally change things.

There are gaping holes in that bill. Not that what it does is bad. What it does are things that Rosario had been pushing for for a long time and make sense. But we have to address some of the gaping holes, and one of them certainly has to do with developers.

When you look right now and right here in Toronto, there are seven class action lawsuits against developers, yet there is nothing in this bill that will make that process easier, more owner-friendly, more people-friendly. What a lost opportunity. We know that the developers are only in the picture at the beginning when the building is being built or reconverted, but we know that so many of the present condo owners are still having problems with their developers. Let's take this opportunity, while this bill is open, to address those. I think they deserve to be looked at just as much as everybody who lives in a condo does.

**The Deputy Speaker (Mr. Bas Balkissoon):** I thank everyone for their comments. I now return to the member.

*Interjection.*

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate?

**Ms. Peggy Sattler:** I am very pleased to join the debate today on Bill 106, the Protecting Condominium Owners Act, on behalf of the people I represent in London West. Like many of us in this Legislature, this is an issue that is of considerable importance to my constituents.

Before I begin my remarks, I want to commend my colleague the member for Bramalea–Gore–Malton for the excellent job he did in setting out the concerns of the NDP caucus about this legislation in his role as consumer services critic for our caucus. As he explained so eloquently in his inimitable way, this bill is a major step forward. It does go a long way to improving condominium governance, but it does not, by any means, address some of the biggest, most serious problems for condominium owners.

New Democrats are concerned that, even with this legislation in place, condo owners in this province can still be taken advantage of by unscrupulous condo developers and corrupt condo managers, and they will still be left to fend for themselves in the courts. The bill does not provide them with access to the legislated protections that they have a right to expect from their government.

Speaker, it didn't have to be this way. The Minister of Government and Consumer Services, whose ministry is responsible for this bill, had a model that could have addressed some of the most egregious issues in condo disputes. There was a template readily available that could

have been incorporated into this bill, and that would have provided the comprehensive protections that condo owners need. I am referring here to the private member's legislation that was developed by the former member for Trinity–Spadina, my NDP colleague Rosario Marchese.

Rosario, at the time, was MPP for a riding that has one of the highest concentrations of condo development in the country. Mr. Marchese worked tirelessly to push for changes to the condo act to ensure that condo owners were protected not just in disputes with their condo corporation board, but from developers and managers who were failing to deliver on their responsibilities under the law.

In March 2007, which was more than eight years ago, Mr. Marchese introduced the first of his four bills to reform the condo act. His most recent bill was tabled in April 2012. But each time he introduced his bill, the government insisted that the reforms were unnecessary, that the existing system worked just fine. Finally, even though the government could ignore the efforts of the NDP caucus to push reform, what they couldn't ignore were the risks to public safety that were presented when glass started falling from condo towers in Toronto. In 2012, this, at last, got the province to launch a review of the legislation. It's worth noting that because developers are not covered by Bill 106, the legislation that actually came out of this review will not do anything to protect condo owners from falling glass, which is ironic, to say the least.

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In Mr. Marchese's words, the explosion of condo development, without a corresponding update to condo legislation, created a "Wild West" for Ontario condo owners. Governed by a law that is now 16 years old—a law that was put in place long before the condo boom started—condominium boards, developers and managers are largely unregulated, unaccountable and too often unethical.

Under the current legislation, there is only one recourse available to condo owners who cannot get their disputes resolved, and that is through the courts. A condo owner might be dealing with a board of directors that is ignoring complaints from owners. They might be dealing with a management company that is not doing proper maintenance. Worst of all, they might be desperately trying to seek legal redress for a real estate deal that had gone bad—a developer not delivering what was promised in the showroom or cutting corners on materials and construction. Condo owners who cannot afford the huge legal costs in going to court do not have a recourse if they don't have the resources to move forward with a lawsuit.

Speaker, at this point, I think it's useful for us to pause for a moment and just reflect on who these condo owners are in Ontario.

We know from CMHC that across Canada in 2011, 71% of all condo owners were one-person households or couples without children. Of these, women made up two thirds of the one-person households and three quarters of

one-person households that had adults aged 55 or older. These numbers, Speaker, are only going to increase as our population ages. Another 9% of condos in Canada are lone-parent households, but of these, fully 84%—four out of five—are headed by women.

As NDP women's issues critic, I'm urging all MPPs to reflect on this data, because we need to apply a gender lens to this debate. The data shows that condo act reform is an issue that disproportionately affects women. The gender wage gap means that women continue to earn 30% less than men. It also means that women, who are the fastest-growing group of condo owners, who are driving the boom in condo ownership, have even fewer resources than men to take developers or managers to court. It is women who will be the most disadvantaged by the gaps in this legislation and by what is not included in Bill 106.

I'm going to turn now to what Bill 106 does include, most of which, as other members of my caucus who have spoken to this bill have acknowledged, is a positive step forward.

One of the central provisions of the bill is the establishment of the condominium authority, which is a not-for-profit corporation that will provide training, education and advice to both condo owners and boards. The condo authority will be able to establish competency criteria for board directors, including criminal background checks, disclosures and mandatory training. It may also be responsible for preparing a condo owner's guide, which will outline the roles and responsibilities for people who live in condos.

Bill 106 improves transparency and accountability of condo boards of directors. It provides owners with greater access to important condo board documents. It requires more consultation and notification with owners before boards can undertake large expenditures. It tightens the rules for requisitioning owner meetings and increases financial oversight of boards, which includes their management of reserve funds.

The bill tightens and clarifies the rules governing common elements and what constitutes a material change. The bill also amends the Ontario New Home Warranties Plan Act to extend Tarion warranty coverage to condo conversions. But as my colleague the member for Niagara pointed out this morning, it does not include any meaningful Tarion reform, which we see as another major shortcoming of this bill.

Finally, and most importantly, the bill establishes a tribunal of the condo authority that will resolve some, but not all, disputes between condo owners and boards. In particular, the tribunal will not hear disputes involving developers and condo managers, which must still be resolved in court.

These are critically important, much-needed reforms that should have been implemented long ago. The NDP will be supporting these changes because we have been pushing for them for years.

Like many MPPs, I continue to hear horror stories from constituents of disastrous condo board governance

and mismanagement of finance. So it's good that the government is finally acknowledging the need for reform, so that we, as MPPs, can actually start helping our constituents.

In particular, New Democrats welcome the requirement for condo managers to be licensed, although we do question why it took two years to bring forward a reform that the government promised to fast-track in 2013. This is a measure that was unanimously endorsed by all stakeholders around the table. Everyone who was involved in the consultations on reform recognized that this was one of the most problematic areas in condo governance, because of widespread concerns about fraud, corruption and bid-rigging in the condo management industry.

But before we go too far down the road of congratulating the government, New Democrats are reserving judgment on this bill until the regulations are written, because many of the details of the bill—much of the meat of the legislation—depends on what is in the regulations.

The regulations will determine if the condo authority will actually make the dispute resolution process cheaper and quicker, or whether the authority will become an ineffective bureaucracy that only adds to costs and delays for condo owners.

The regulations will determine what kind of teeth the condo manager licensing authority will have—whether it will be able to actually remove incompetent or unethical condo managers.

The regulations will determine what kind of rules are going to be put in place to standardize disclosure statements and declarations. We've heard too many cases of condo buyers who have been misled by weasel clauses that have been inserted into the purchase agreements; nasty surprises in the fine print; and unexpected costs and maintenance fee increases after their purchase is complete.

Leaving so much detail to the regulations is always troubling for MPPs, because it basically requires that we give the government a blank cheque and just hope that what is promised in the legislation is actually delivered by the government.

Quite frankly, we do have reason for our caution. We saw how the condo act review process was dominated by special interests from the condo industry. We saw how the expert panel was stacked with developers and condo industry lawyers and consultants. There was only a single advocate on the expert panel who spoke for the interests of condo owners.

We saw how the public input that had been gathered in different parts of the province, including London, was watered down in the recommendations that came out of the panel and resulted in what we see before us today, which is Bill 106.

Speaker, I now want to turn to some issues that are specific to my community and my riding of London West. Like many Ontario communities, London has a growing condo industry. Growth in condominium stock represents almost 25% of the total growth in home ownership. Condos now make up 13.6% of owner households in London.



As many MPPs have already noted, condos are a popular choice for young people, especially young women, who are just getting into the housing market, and also for retirees on fixed income. This is certainly the case in London.

The most recent housing market outlook for the London CMA, which came out in the spring of this year, projects higher condo apartment and row house starts for the London area over the next two years because of the shortage of affordable existing homes for first-time homebuyers. The London St. Thomas Association of Realtors also reports an upturn in condo sales this year, a 9% increase between 2013 and 2014.

One of the unique features of London's condo sector is that almost 70% of our existing condominium stock is row houses or single detached homes, and this is more than any other CMA in Canada. This statistic is changing as new high-rise condo construction is approved, but what it means is that many of the disputes that come to my office concern issues around inadequate property maintenance and lack of upkeep, in addition to complaints about shoddy construction.

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As MPP for London West, my focus is to make sure that the issues that have been raised with me by constituents are actually addressed by Bill 106. One of my constituents wrote, "Under the current act, if the directors of a corporation fail or refuse to enforce corporation bylaws and declarations, unit owners have little in the way of legal recourse to correct the situation.... Meanwhile, those unit owners who have read, understood and have abided by the bylaws sit helplessly to see their property values decrease because the corporate culture has led to a libertarian free-for-all." This constituent went on to say that he lives in such a place as he has described. His "property values have declined and few residents seem to notice or care." The directors "have been in place for a long time and at least two of the three directors have fully embraced the free-for-all approach." This constituent was told, by one of the directors, "We have no rules."

He goes on to say, "Under current law, if I were to sue the directors, I would be required to pay their legal fees as well as my own, then, if they were found to have breached the Condominium Act ... they would be fined, and all the residents would have to pay their fine!"

Another constituent told me, "My issue is that every year fees go up—and often the administration fees that the manager charges also go up.... Is there any legislation controlling the manager administration fees? If not, this is something that should be subject to legislation. Seems to me the managers, if not regulated, just have a licence to print money!"

Speaker, these are just some of the examples of the concerns that constituents have brought to my office.

The most troubling case that has come to my attention most recently is that of Barry and Nicole Cotton, constituents in my riding of London West, who have seen their retirement savings destroyed—their condo invest-

ment vanish out the window—because of a developer's neglect and failure to comply with condo legislation.

Barry and Nicole recently retired. They moved to London from Sudbury in 2010, and they purchased a unit in a 10-unit condo development in London West. At the time of their purchase, two of the other 10 units had been sold. A fourth unit was sold the following year. So four of the 10 units since 2011 have been owned by other condo owners. The developer kept control of the remaining six units. The developer and partners in his company made up the condo board of directors, and the Cottons' nightmare began almost immediately.

They have told me, "We observed with growing concern and anxiety the inept and unprofessional management of the development in terms of lack of maintenance of the common elements, failure to complete and maintain the unsold units, financial mismanagement and failure to diligently market and sell the six unsold units of the condominium.... Over time, the appearance of the development has gone from an 'in-development' look to being seen as derelict and even abandoned."

Conditions continued to deteriorate, and in May 2015, the Cottons met with a realtor to request a comparative market analysis. The realtor told them that a CMA would be useless, as he would not accept a listing of any unit at this location, nor steer any clients to the development. In other words, their home was now worthless.

In 2014, Barry and Nicole became president and secretary-treasurer of the condo corporation and finally gained access to the financial records. They found that no condo fees had been paid on the developer's six units since 2008; no reserve fund study had been obtained. The Cottons went ahead, completed a study and learned that the reserve fund deficit is now almost \$80,000. The Cottons' only option is to bring court action against the developer, which their lawyer says would be a long and expensive endeavour with no guarantees of success or restitution if the corporation succeeds. The Cottons' question to all of us in this House is, "How can this happen in this country, in this province, in this day and age?"

When faced with these very difficult and problematic situations, the only recourse that condominium owners and directors have is litigation involving extensive resources in terms of time, money, stress and worry on the part of those involved.

I wish I could tell the Cottons that Bill 106 would ensure that no one would ever be taken advantage of in the way that they have wound up in London West. Unfortunately, I can't say this. Bill 106 does not include developers. It does not allow condo owners to use the condo authority tribunal to resolve the kind of disputes that the Cottons have found themselves in.

But what I can say to the Cottons is that New Democrats—my colleagues and I on this side of the House—will be pushing for changes to Bill 106, to put the interests of condo owners ahead of the interests of developers and condo managers, and to give condo owners the full

protections they deserve under the condo law in this province.

Thank you very much, Speaker. I look forward to questions and comments from members.

**The Deputy Speaker (Mr. Bas Balkissoon):** Thank you very much.

*Second reading debate deemed adjourned.*

**The Deputy Speaker (Mr. Bas Balkissoon):** This House stands recessed until 10:30 a.m.

*The House recessed from 1016 to 1030.*

## INTRODUCTION OF VISITORS

**Mr. Jeff Yurek:** Speaker, I have two constituents here today: Steve Abdey and Ange Thompson. Welcome to the Legislature, and I look forward to hearing some answers today.

**Hon. Yasir Naqvi:** I had an excellent opportunity, along with the Associate Minister of Finance, to have a meeting with the Emerging Leaders Network, which is part of a CivicAction round table.

I just want to introduce some members of the network who have joined us here at Queen's Park. Please welcome Raynold Wonder Alorse, Michelle Edmunds, Samuel Getachew, Todd Hofley, Alex Lach, Shari Mackay, Hassaan Qureshi, Joel Wolch, Myra Khan, Jodie Rawn, Adrienne Yiu, Stephen Hockey, Prakash Amanasooriya and Helena Skrinjar.

Welcome to Queen's Park.

**Mr. Bill Walker:** On behalf of the great member from Sarnia-Lambton, it's my pleasure to introduce Janice and Brittany Veen.

**Mr. Paul Miller:** I'd like to introduce Damian Albanese, director of transportation for the region of Peel, Ken Chartrand from the traffic department and a large group of their fellow employees.

**Mr. Bob Delaney:** On behalf of page captain Krishaj Rajbhandari, I'm pleased to introduce his mother, Jasmine, and his sister Isha. They will be in the public gallery this morning. Welcome to Queen's Park.

**Hon. Mitzie Hunter:** I am very pleased to rise today and join my colleague in welcoming CivicAction's Emerging Leaders Network.

As the former co-chair of the ELN for seven years, I know the important work that you're doing to build a great city region. Thank you so much for taking the time to come here today.

## APPOINTMENT OF HOUSE OFFICERS

**The Speaker (Hon. Dave Levac):** Having filed the appropriate paperwork, I am prepared to hear the argument from the member from Timmins-James Bay.

**Mr. Gilles Bisson:** I just want to lay this out as succinctly as I can without too long of a time here. I want to start off by saying that the process of appointment of officers of the House in this Legislature has evolved over a period of time. It used to be at one time that the

appointment of officers of the House was more or less done by the government majority. That was found not to be an effective way to appoint officers of the House because people understood that an officer of the House represents the House, not just the governing party. So over the years, we have moved to a system of consensus, where members of the Legislature, through their political parties, each put one person on a hiring committee. There is a very good public process with regard to advertising for those who want to apply for a position, there is an interview process that goes through, and in the end a consensus is reached and a candidate is put forward.

But here is the key: What we have evolved to and what we have ended up with is, once the decision is made, we have moved by way of having a motion in the House—and why that is important is because we recognize that in this ever-evolving process, these officers of the House do not answer to one political party. They do not certainly answer to the government. They are officers of the House and answer to all of us.

That's why we have evolved this process. Yes, I'm sure you can look in precedents where, in the past, officers of the House were appointed by a government majority and, yes, at times, even by order in council. But the issue is we have evolved to a different process over the last number of years.

I can tell you, in my time here, now 25 years, the process has become quite a good process by which the three parties come to an agreement, the candidate selected is agreed to by the three parties, and a motion is brought to the House, normally by way of unanimous consent, but it could be a substantive motion.

The point is that it's the House that makes the decision about who that person is going to be, and it's conferred by the House. The reason that is, as I said, is because that officer of the House, at the end of the day, has to answer to the House and is an officer of this House and not of the government.

The second thing I want to say is our standing orders are silent on the issue of the appointment process. When these standing orders are silent, we then move to practices and precedent in order to guide us in our deliberation and our decisions about how things have been done. When we look at our standing orders—I'm sure the government House leader will get up and say the same—there is nothing in our standing orders that is going to say this is the process by which we do an appointment of whatever officer of the House. It is left to the practice of the House.

I want to make this point, and it is important: Yes, in the past, some 25, 30, 40 years ago, when officers of the House were first introduced as a concept, those were appointed by a majority, and they were appointed by OIC, and they were appointed by a vote in the House by the majority of the government.

But over the years, we have changed that process, and I will argue—and I think every member in this House will agree—it has served us well. We have had a cadre of officers of the House that have done an exceptional job in



representing the interests of Ontarians, number one, and number two, have done so in a way that has been able to be supported by all members of this House because we have given confidence to those particular officers of the House. So that is an important point to make.

Back in May of this year, we were in a position where Monsieur Marin, the then Ombudsman, needed to be extended, so that we could go through our process. If you remember—I just want to make this point very quickly—we New Democrats, as a party, said we should extend him by six months. The reason we said that is because practice has shown us in the past that, at times, it does take six months to make an appointment. You go through an interview process. A candidate is selected, in some cases, and the candidate decides not to take the job and you have to start all over again. We had to do that, I believe, in the case of the FAO. We have had cases where we have interviewed people, and we have not been able to get to a consensus, and we have had to go back and restart the interview process all over again.

So we know, by practice in this place, it has taken sometimes more than the three months or the two months that the government tried to give us by way of the motion of May 28. That's why New Democrats wanted the six months in the first place, because we knew that the government had an agenda and their agenda was to get rid of Monsieur Marin—and fair enough, if that's how they felt. They have the right to feel that. I don't agree, and I think most Ontarians don't agree, but that's what that was all about.

My point is that once we got to September 14, where that order extending the appointment of the then current Ombudsman ended, the government had an obligation to this House. That obligation, as far as I'm concerned, is based on the evolving process that we have established in this House when it comes to the appointment of officers of the House, where if we had to appoint a temporary Ombudsman—and I will argue there are arguments on both sides of this, and I'm sure that we can get different opinions on the legislation. But I'm not going to comment on the legislation because as you know, Mr. Speaker, and I know, you have no authority to rule on the legalities of the Ombudsman Act and whose interpretation—mine or the government House leader's—is correct.

But the issue is that once a consensus was not reached, and a temporary Ombudsman was thought to be necessary by the government, it had an obligation to respect this House and to come to us with a motion. Now, if the government didn't think that was the case, they would have never tried to move a unanimous consent motion in this House. The government knew that New Democrats were not going to support the unanimous consent motion, but the government chose not once, not twice but three times to move a unanimous consent motion in the House, which indicates to me they understood that they needed a motion in the House.

1040

Somehow or other they went back and they concocted that, "Well, we can do this by order in council." Fine.

Maybe they can; maybe they can't. The point is that this House has established a practice over the last 20 or 25 years where we've evolved the practice that appointing officers of the House is done not only by consensus but by an order of the House. If the House was not in session—yes, there is a provision if the House is prorogued for the government to be able to make an appointment by OIC.

I argue that not only was the House in session, but we were sitting. It wasn't as if the government didn't have an opportunity to move a substantive motion should they have not been able to pass the unanimous consent motion. Yes, there would have been a debate, Mr. Speaker, but that's called democracy. The members of this House have a right and an obligation to be able to express their views on a particular point, in this case, the office of the Ombudsman. We, as New Democrats, may not have taken the entire time that we could have taken—the six and a half hours—before the government time-allocated the motion.

The point is that you've got to respect this assembly. My argument—why I argue that this is an affront to our Legislature and further is a question of a *prima facie* case of contempt—is that we've established a practice over the last number of years where officers of the House are not only chosen by consensus but in fact are appointed directly here by a motion of the House.

**The Speaker (Hon. Dave Levac):** New information—

**Mr. Gilles Bisson:** I'm just about done.

I would ask you, Mr. Speaker—and I'm not going to read it because I know that you want me to sum up, but I want you to go back and read page 249 in—as we call it, our bible—the House of Commons Procedure and Practice. There is an interesting point here in regard to the rights of the minority. The government, yes, at the end of the day, has a majority, and they have the right to not only set the agenda of the House, but they also have a right to be able to pass their agenda by virtue of their majority. But they have an obligation to listen to the arguments from the opposition.

The government, by moving by OIC, order in council, took away the ability of the members to be able to have their say. I would argue, Mr. Speaker, that being the case, this government should be found in contempt.

**The Speaker (Hon. Dave Levac):** Further comment?

**Hon. Yasir Naqvi:** Thank you very much, Speaker, for giving me the opportunity to respond to the member from Timmins-James Bay.

We find ourselves in this position today because of the unnecessary refusal of the New Democratic Party to appoint a temporary Ombudsman while the hiring panel continues its work.

First of all, I believe that the member from Timmins-James Bay is out of time to bring this point of privilege. The first opportunity for the member to rise on this point of privilege was yesterday morning during question period.

In any event, the member from Timmins-James Bay's point of privilege is entirely without merit. The govern-

ment has in no way disregarded the authority or dignity of the House or its members. On Monday, Speaker, the House had three opportunities to vote to appoint an acting Ombudsman in order to prevent a vacancy in the Ombudsman's office. Each time, the NDP refused my request for unanimous consent. In these circumstances, the rights of the House are set out in section 3 of the act and deal with the appointment of a full-term Ombudsman.

The appointment of Ms. Finlay, pursuant to section 7 of the Ombudsman Act, does not interfere in any manner with the selection of a full-term Ombudsman or with the House's right to pass an address for that appointment. Speaker, even if you were to accept that these circumstances could give rise to a point of privilege or contempt, its determination would depend entirely on the interpretation of the Ombudsman Act.

The member from Timmins-James Bay's argument for contempt is based on his belief that all appointments of temporary and permanent officers must be done by address of the assembly unless the Legislature is not in session. This assertion is incorrect. In any event, the member's argument depends entirely on his own interpretation of the Ombudsman Act.

In order to find in favour of the member from Timmins-James Bay, you must first conclude that it was not open to the government to use the powers under section 7 to avoid a vacancy. This would require you to make an interpretation of the act. It is widely understood that Speakers do not address legal issues or interpretation of laws. This has been confirmed by many Speakers' rulings, including the April 19, 2010, ruling by Speaker Peters.

Even if the Speaker were to engage in statutory interpretation, I respectfully submit that section 7 is clear. The condition that the House not be in session applies only to the death or resignation of the Ombudsman. The condition that the Ombudsman be unable to perform the functions of the office is not limited to occasions when the House is recessed. The appointment of Ms. Finlay as acting Ombudsman by the Lieutenant Governor in Council was made pursuant to section 7, due to the inability of the Ombudsman to act because of the expiration of Mr. Marin's term in office.

The fact there was a vacancy after Mr. Marin's term expired is due entirely to the actions of the opposition. The Ombudsman Act makes it mandatory that an Ombudsman be in place. According to section 2 of the Ombudsman Act, an Ombudsman "shall" be appointed. Section 7 is in place to ensure that a vacancy does not occur.

The application of section 7 in these circumstances protects the rights of the House because it ensures the office does not become vacant while the assembly is completing its work. The application of section 7 did not circumvent parliamentary processes, as the member from Timmins-James Bay suggests. Whether a particular process was required can only be determined by looking at the Ombudsman Act, not general practices or conventions of the House.

The member from Timmins-James Bay has also cited section 26 of the Ombudsman Act in furtherance of his argument that the appointment of Ms. Finlay was not necessary. According to the member, section 26 allows the office to function when there is a vacancy. Section 26 of the Ombudsman Act allows the Ombudsman to delegate his powers to employees within his office. It is not intended to not address vacancies. The purpose of section 26 is simply to allow the Ombudsman to determine how his or her responsibilities will be carried out, including during temporary absences. Although delegations may survive the expiration of an Ombudsman's term, the provision only operates when a delegation has been made. We have no knowledge as to whether such a delegation was made in this case. Therefore, the member's assertion that the section allowed the office to continue is incorrect.

In any event, section 26 does not permit an Ombudsman to delegate his power to table reports. The ability to prepare and table reports is a fundamental role of an Ombudsman. The absence of this power would be a significant impediment to the work of the office and the Legislature. For these reasons, Speaker, we request that you rule against the point of privilege raised by the member from Timmins-James Bay.

**The Speaker (Hon. Dave Levac):** The member for a very short comment.

**Mr. Gilles Bisson:** Very short, two points: For the government to say we had unnecessary opposition from our side I think speaks to the problem. They think they can do what they want.

Here is the point: The government, by its own actions, on the Tuesday moved a motion of the House by unanimous consent in order to extend the temporary Environmental Commissioner. If the government thought it had the power to appoint by OIC anybody that it wanted, it would have moved on an OIC for the temporary Environmental Commissioner that we did here on Tuesday. So it's clear that the government knew they were going to have a debate in the House, and they tried to escape the debate by going by way of OIC. I would argue, Speaker, that is an affront to this Legislature, and that's the crux of why we believe you should rule in favour of—

**The Speaker (Hon. Dave Levac):** Thank you.

Further comment? Seeing no further comment, I thank the members for their presentations and will reserve my judgment for the future.

## ORAL QUESTIONS

### SENIORS' HEALTH SERVICES

**Mr. Patrick Brown:** My question is for the Deputy Premier. Right now there are 35,000 long-term-care beds that do not meet provincial standards. Ontario seniors deserve the highest standard of safety, security and



dignity. These beds don't meet that. That is more than half of the province's long-term-care beds that don't meet standards. Yet the Liberal government has cut \$54 million from the health care budget this year alone. The government continues to erode the fragile state of health care in Ontario.

1050

Why does this government care so little for Ontario's most frail and vulnerable? Why are seniors allowed to live in conditions deemed unfit by their very own government?

**Hon. Deborah Matthews:** I just need to clarify before I hand it, in the supplementary, to the associate minister responsible for long-term care. I need to make it very clear that the health care budget has not been cut. Any suggestion that the health care budget has been cut is absolutely erroneous. It is—

*Interjections.*

**The Speaker (Hon. Dave Levac):** Order.

Finish, please.

**Hon. Deborah Matthews:** Speaker, it increased last year, this year and will continue to increase—unlike the transfers from the federal government related to health care that the member opposite stood and applauded when he was an MP.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Mr. Patrick Brown:** Again to the Deputy Premier: Ontario's senior population is expected to double to over 4.5 million by 2041. Yet the response of this government is to cut \$50 million from physiotherapy, seeing falls rise dramatically.

We've seen home care cut to Ontario's seniors. Nursing jobs have been slashed across the province. Entire hospital wings have been closed. There are already 800,000 Ontarians without a family doctor, yet the government is callously cutting 15 medical residency positions. When will this government ensure that seniors get proper health care in Ontario?

**Hon. Deborah Matthews:** To the Minister of Health and Long-Term Care.

**Hon. Eric Hoskins:** Mr. Speaker, nothing could be further from the truth. As the Deputy Premier just mentioned, the health care budget in this province for years has increased. It's increasing this year, it's increasing next year, the year after that and the year after that.

Within that budget, we're making important decisions to continue to improve the quality of care of patients across this province. We've made a significant investment last year to respect and recognize the valuable role that our personal support workers play in the province, where almost \$100 million of additional funds are going to improve their standard of living. The changes that we made to physiotherapy, resulting in 200,000 more seniors receiving physiotherapy services, let alone, as I mentioned yesterday, an extension of public physiotherapy across the province—we continue to make these improvements. I think he's reflecting on the Conservative government's—

**The Speaker (Hon. Dave Levac):** Thank you. Final supplementary.

**Mr. Patrick Brown:** Again to the Deputy Premier: This fall, Orillia Soldiers' Memorial Hospital—

*Interjection.*

**The Speaker (Hon. Dave Levac):** The member from Glengarry—Prescott—Russell, come to order.

**Mr. Patrick Brown:** This fall, Orillia Soldiers' Memorial Hospital will be closing one of their operating rooms. The hospital will have seven fewer beds in complex continuing care. Sadly, they'll be forced to the geriatric day unit. The nursing cuts are sure to follow—all because the government will not fund the \$5 million they need to keep the operating rooms and the beds working in Simcoe North.

Mr. Speaker, I'm not asking the government for more rehearsed lines or rehashed photo ops; I'm asking a direct question. Will they honour the \$5-million critical shortfall at Orillia Soldiers' Memorial Hospital?

*Interjections.*

**The Speaker (Hon. Dave Levac):** Be seated, please. Thank you.

Minister?

**Hon. Eric Hoskins:** The member opposite, the leader of the official opposition, should know that we've increased our funding to hospitals across this province by 50%, from \$11 billion a decade ago to \$17 billion today. That's a substantial increase and it's resulting in improved patient care throughout the province, including in Orillia.

I know the comments of his predecessor and those who came before him with regard to our nurses. We're committed to our nurses in the province. We've added more than 24,000 more nurses, including 10,800 RNs in this province over the past decade.

We're committed to continuing to grow our health care system—

*Interjections.*

**The Speaker (Hon. Dave Levac):** Stop the clock. There's been some engaging of conversations between people who are sitting near the minister and those who are making comments haphazardly. I'm asking for all of us just to listen to the question and answer.

Please finish.

**Hon. Eric Hoskins:** The party opposite never even bothered to measure wait times for important surgical procedures in this province. We began to measure those wait times. When we began to measure them, we found we'd inherited the worst wait times in Canada. We now have the best wait times, the shortest wait times, in the entire country.

*Interjections.*

**The Speaker (Hon. Dave Levac):** Be seated, please.

**Ms. Lisa MacLeod:** Don't let the facts get in the way, Eric.

**The Speaker (Hon. Dave Levac):** The member from Nepean—Carleton will come to order.

New question.

## PAN AM GAMES

**Mr. Steve Clark:** My question is to the Deputy Premier. Ontarians are disgusted about huge bonuses awarded to well-paid Pan Am executives. Handing up to \$450,000 to people already paid at least a quarter of a million dollars earns this government a gold medal in being out of touch, especially when we see hospital services slashed, people struggling to find home care or long-term care, and so many families unable to make ends meet.

We don't even know what the games cost, but in world-record time, this minister opens the vault to those who have already cashed in. Will the government do the right thing by issuing an immediate stop-payment on these obscene bonus cheques?

**Hon. Deborah Matthews:** The minister responsible for the Pan Am/Parapan Am Games.

**Hon. Michael Coteau:** I'd like to congratulate the member opposite for being the new critic for tourism, culture and sport.

I want to start by saying this: I had an incredible summer out there across the province, meeting our athletes and getting into different communities. In fact, the best way you could have met with a Conservative this summer was to show up to a Pan Am game in one of their communities, because they were there the whole time.

But the story is very different here in the Legislature. From the very beginning, the Conservatives have been attacking these games. They said we weren't going to be able to sell any tickets. We sold over a million tickets for the Pan Am Games.

My former critic said no one was cheering for these games, but 1.4 million people attended our celebrations throughout the province. More than 31 million Canadians tuned in, either through the television or radio, for the Pan Am/Parapan Am Games.

**The Speaker (Hon. Dave Levac):** Thank you. The member from Leeds–Grenville on supplementary.

**Mr. Steve Clark:** Back to the Deputy Premier: I have to say, Minister, don't put the athletes and the attendees—we're talking about your mismanagement of the operation of these games.

The minister and the Premier can't even get their stories straight. The minister says the games were under budget, but the Premier admits they don't know yet. Look, the truth is, these games only posted the \$50-million savings claimed by the minister because of a \$74-million bailout from taxpayers. By my math, that's a \$24-million deficit—another reason why these bonuses aren't deserved.

Speaker, in the interests of open and transparent government, will the government support my request to bring in the Auditor General and put these bonuses on the bench until we get the real costs?

**Hon. Michael Coteau:** First point: The \$56 million that we reported as a surplus for infrastructure was reported—

*Interjection.*

**The Speaker (Hon. Dave Levac):** The member from Renfrew will come to order. I'm tempted to move right into the warnings, but I'll give you a chance.

Carry on.

**Hon. Michael Coteau:** The \$56-million surplus in infrastructure was reported months and months ago at our technical briefings that these guys didn't show up at to actually get the information.

In addition to that, the member opposite knows that the compensation package and the bylaws and the rules and regulations around TO2015 was a three-government process. In fact, the Leader of the Opposition's government was part of that process. So I don't understand why it was good enough for the Leader of the Opposition before, when he was in Ottawa, but why it is bad now.

**The Speaker (Hon. Dave Levac):** Final supplementary.

**Mr. Steve Clark:** Back to the Deputy Premier: Public elementary school teachers are still without a contract. There are 800,000 Ontarians without a family doctor, and you're currently clawing back doctors from seeing new patients. Wait times for long-term care have tripled since 2005, and this government slashed \$54 million from the health care budget—all of that, and the Premier is giving Pan Am executives a bonus.

Mr. Speaker, does the government have no shame or just the wrong priorities?

*Interjections.*

**The Speaker (Hon. Dave Levac):** Be seated, please. Stop the clock. Be seated.

Minister?

1100

**Hon. Michael Coteau:** I want to talk a little bit about the compensation structure again. It was developed on the advice of a third-party consulting firm that was brought in, and it's based on attracting the right type of people over a short period of time to really deliver—

*Interjection.*

**The Speaker (Hon. Dave Levac):** Carry on, please.

**Hon. Michael Coteau:** —to be able to deliver the type of games that would make Ontarians proud. This was a large budget, a \$2.5-billion budget. The Ontario government put in a substantial amount; the federal government put in a substantial amount; the municipal government put in a substantial amount. Really, we wanted to attract the best and brightest from across this country to help us deliver the best type of games, and we were able to accomplish that.

## PRIVATIZATION OF PUBLIC ASSETS

**Ms. Andrea Horwath:** My question is to the Acting Premier. The Premier is plowing ahead with her scheme to sell off Hydro One. She is ignoring 83% of Ontarians, who want to stop this privatization scheme and keep our hydro in public hands. But rather than listening, the Premier is doubling down on the biggest privatization in this province since Mike Harris.



How can the Liberals defend the sell-off scheme when they have no mandate, they have no public support and no evidence whatsoever to sell off Hydro One?

**Hon. Deborah Matthews:** I think the leader of the third party will recall that this actually was in our 2014 budget. This was in our election platform. It actually was in their platform as well, because they used our fiscal assumptions to develop their plan.

Looking at assets is the responsible thing for a government to do. We have a very strong need to build the infrastructure for the future—for today and for the future. That infrastructure must be paid for. We have looked at ways in which we can pay for that infrastructure. But make no mistake about it, the infrastructure is required.

So I am just asking the leader of the third party exactly what infrastructure projects she is recommending that we not proceed with, because the only choice is, you build them and pay for them, or you don't build them at all.

**Mr. Miller:** Gas plants, Ornge, gas plants, eHealth.

**The Speaker (Hon. Dave Levac):** The member from Hamilton East—Stoney Creek, come to order, please. Supplementary?

**Ms. Andrea Horwath:** I can guarantee the Deputy Premier that this party, the New Democratic Party, is probably the only party in this Legislature that would never privatize Hydro One—not today, not tomorrow, never.

But that party and that Premier and that Liberal government are in fact determined to sell off Hydro One. But to get away with it, they need to keep Ontarians in the dark. That's why the Premier stripped Hydro One of oversight. That's why she removed the ability of our public watchdogs to look into Hydro One and to look out for the people of Ontario. And that's why she refused to let Ontarians have their say in public hearings or in a referendum.

How can this Liberal government defend the biggest rollback of accountability in the history of our electricity system?

**Hon. Deborah Matthews:** I'm happy to refresh the memory of the leader of the third party. In their nine-page platform, the NDP borrowed our plan, including our plan to maximize the value of our assets. In an interview with Newstalk 1010 radio, the leader of the third party said, on May 7, "There's no doubt we did talk in our platform about looking at some of the physical assets that the province owns." During the campaign, they talked about looking at assets. After the campaign, when they put their finger in the wind, now they are opposed.

We need to build this infrastructure. The people of the province are counting on us to build—

*Interjections.*

**The Speaker (Hon. Dave Levac):** The shouting is going back and forth enough that I'm asking for you to bring it down.

*Final supplementary.*

**Ms. Andrea Horwath:** I have asked the Premier over and over to come clean with Ontarians about the sell-off

of Hydro One, but the Premier stubbornly refuses to bring any openness, any transparency, any accountability to her scheme. She has stripped Hydro One of oversight. She refuses to provide any evidence, to release any evidence to the public to back up her scheme. She's plowing ahead with a sell-off that Ontarians overwhelmingly reject.

Why does this Acting Premier believe that Ontarians should be kept in the dark about the single biggest privatization scheme in a generation?

**Hon. Deborah Matthews:** Speaker, when it comes to transparency, let me review the record on that. You will recall, as I said earlier, that this was included in our 2014 budget. It was included in our platform. It was included in their platform.

The advisory council issued an interim report and a final report, both publicly available. We have held a technical briefing, and the member from Kitchener—Waterloo attended that technical briefing. To further ensure transparency, we have brought in Denis Desautels, the former Auditor General of Canada, to oversee the IPO.

The member knows full well that publicly traded companies are subject to different oversight mechanisms than crown corporations. However, the new Hydro One will be regulated by the Ontario Business Corporations Act, the Ontario Securities Act and the Ontario Energy Board. They will have to file information with the Ontario Securities Commission and disclose the compensation of their top executives, Speaker—

**The Speaker (Hon. Dave Levac):** Thank you. New question.

## PRIVATIZATION OF PUBLIC ASSETS

**Ms. Andrea Horwath:** My question is to the Acting Premier. The Premier, and now the Acting Premier, are desperately trying to justify their sell-off of Hydro One. The Premier wants us to believe that she had no choice but to privatize hydro, but she could not be more wrong, Speaker.

The Liberals had better choices, smarter choices, and every opportunity to make them, but they failed to make the right choice for Ontarians. Now this Liberal government fears nothing more than public scrutiny of the Premier's bad decision.

Will this Acting Premier explain to Ontarians why openness and transparency and accountability are the biggest threats to the Premier's privatization scheme?

**Hon. Deborah Matthews:** We are investing in infrastructure because this province needs that investment—make no mistake about it. We're committed to making the largest investment in infrastructure in Ontario's history: \$130 billion. Speaker, that's not just about roads and bridges and transit; that's about jobs. That's 110,000 jobs a year that we will be creating as a result of these investments.

The leader of the third party needs to understand that not investing has consequences. There is a cost to not investing. Again, we're asking, what are you going to can-

cel? Regional express rail: Over 10 years, weekly GO rail trips will go from 1,500 to nearly 6,000; on the Barrie line, weekly trips from 70 to more than 200; on the Kitchener line, weekly trips from 80 to more than 250; Lakeshore East line—but maybe it's the Hamilton line that you want to—

**The Speaker (Hon. Dave Levac):** Thank you. Supplementary?

**Ms. Andrea Horwath:** The Premier has run out of excuses. All those government members on the backbenches are going to have a tough time defending the sale of Hydro One because the Premier could have made a better choice to the build the transit and—

*Interjections.*

**The Speaker (Hon. Dave Levac):** Finish, please.

**Ms. Andrea Horwath:** The Premier could have made a better choice to build the transit and infrastructure that our province needs, and every single one of those backbenchers knows it, Speaker. Instead, the Premier deliberately chose to hand Hydro One to the highest bidder, and they know that as well. She deliberately chose to sell off a public asset against the will of the majority of the people of Ontario, and they know that, too. She deliberately chose to protect her small group of powerful friends.

Will the Acting Premier do the right thing and admit that openness, transparency and accountability are the biggest threats to this Premier's scheme?

**Hon. Deborah Matthews:** What we are doing is creating new assets. We are creating those assets that are needed for today. Yes, it's true that 140 years ago, Sir Adam Beck from London, Ontario had a vision. He saw what Ontario needed at that time in history, and they needed electricity, Speaker. The government of the day acted on that and built that electricity system. The government of today sees that we need to build infrastructure, whether it's connecting—

*Interjection.*

**The Speaker (Hon. Dave Levac):** Member from Prince Edward—Hastings.

Carry on.

1110

**Hon. Deborah Matthews:** Whether it's Highway 7 between Kitchener and Guelph, whether it's Highway 401 improvements in London, Highway 417 in Ottawa, Maley Drive in Sudbury, Highway 11/17 between Thunder Bay and Nipigon, all of these investments are needed. They are needed now. We are building them now. We have to pay for them, and that's why we are taking assets that we have and investing in new—

**The Speaker (Hon. Dave Levac):** Thank you.

That's it, I think—

**Ms. Andrea Horwath:** Speaker, I think I have one more part of my question.

**The Speaker (Hon. Dave Levac):** Sorry about that. You're right. Final supplementary.

**Ms. Andrea Horwath:** This Premier had better choices, but she made the wrong decision for the people of Ontario. Her privatization scheme protects her small

group of her powerful friends from paying their fair share and leaves families and businesses paying the price for decades to come. Instead of asking the biggest corporations to pay just a little bit more to help tackle congestion and build infrastructure, this Premier is plowing ahead with a massive privatization scheme. This Premier is following in the footsteps of Mike Harris.

Now, will this Acting Premier finally admit that openness and transparency and accountability are actually the biggest threats to the Premier's privatization scheme?

**Hon. Deborah Matthews:** Speaker, the NDP are, I think, famous now for having one solution to every problem: No matter what the issue is, their answer is increased taxes on corporations. That is a refrain that the federal leader has joined in on as well.

We are taking a more sophisticated approach. We are taking a number of strategies to pay for this infrastructure. But let's go back to what we are actually investing in: the Stouffville line, the Milton line, the Richmond Hill line, support for SmartTrack, \$1 billion for Hamilton LRT. We're doing an EA for high-speed rail from Toronto to London—

*Interjection.*

**The Speaker (Hon. Dave Levac):** The member from Hamilton East—Stoney Creek, second time.

**Hon. Deborah Matthews:** We've got investments for rural and northern gas expansion. That is a vital investment. Communities are asking for help on the Connecting Links Program, and we are responding to that.

Speaker, these are important investments. These are wise investments, and we're prepared to make the decisions—

**The Speaker (Hon. Dave Levac):** Thank you. I apologize to the leader of the third party for losing track.

New question.

## HOSPITAL FUNDING

**Mr. Victor Fedeli:** My question is for the Deputy Premier. Once again, health care in my riding was put at risk by a second round of cuts made by this Liberal government: 158 full-time, front-line staff have been fired from the North Bay Regional Health Centre. More than half of them were nurses. This is on top of the 197 front-line health care workers already fired at the hospital. Again, more than half of those were nurses. This is devastating for the community, the workers and their patients who are now rightfully concerned about access to quality health care.

Speaker, do the Liberals have any remorse whatsoever over squandering \$1 billion on the gas plant scandal—money that could have been used?

**Hon. Deborah Matthews:** To the Minister of Health and Long-Term Care.

**Hon. Eric Hoskins:** I'm happy to talk about North Bay regional hospital as well—the new hospital that was built and opened four years ago as a result of a capital investment by this Liberal government.



When that hospital was built and when it amalgamated with a site in Sudbury as well, it was determined and found by the hospital, as well as the LHIN, that certain issues needed to be right-sized. In fact, the efficiencies of the hospital were lower for certain programs and services and the costs were higher than other similar hospitals in the north or other hospitals around the province.

What's been under way for the last several years is to actually take account of the fact that the expenses and lack of efficiency of the hospital needs to be addressed, so that quality of care, which I can speak to in the supplementary, is maintained, but the hospital is as efficient as it can be.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Mr. Victor Fedeli:** Back to the Deputy Premier: Nothing he said gives any comfort to the people of North Bay. In this new hospital, they just closed 60 beds—in this brand new facility that he spoke of.

They're not just cutting in my riding, Speaker. Hundreds of nurses and front-line health care services have been cut in hospitals right across Ontario: Leamington, Chatham, New Liskeard, Timmins, Sudbury, the Sault, Orillia, Quinte, Scarborough and, just this week, we learned that front-line cuts in Ottawa led to higher re-admission rates.

The Auditor General warned that this Liberal government's continued deficits will lead to the crowding out of important programs. We now know exactly what the auditor was referring to. What is this Liberal government going to do about the deteriorating health care services in North Bay?

**Hon. Eric Hoskins:** This is ironic coming from the party that ran on a platform of cutting 100,000 public sector jobs in the last election. Funding—

*Interjections.*

**The Speaker (Hon. Dave Levac):** Stop the clock. Order, please. Start the clock.

*Interjection.*

**The Speaker (Hon. Dave Levac):** I'm not amused.

Please finish. Wrap up.

**Hon. Eric Hoskins:** Funding for the North Bay hospital—

**Mr. Victor Fedeli:** Continue to cheer the firing of 350 people.

**The Speaker (Hon. Dave Levac):** The member from Nipissing, come to order.

**Hon. Eric Hoskins:** —has increased by over \$100 million since 2003, an increase in funding of 128%. We've also provided the hospital—

**Mr. Victor Fedeli:** Babble, babble, babble. You fired 350 people.

**The Speaker (Hon. Dave Levac):** Actually, that's your time. And the member from Nipissing, second time.

New question.

#### BY-ELECTION IN SUDBURY

**Mr. Jagmeet Singh:** My question is to the Deputy Premier. We learned this morning that the OPP have

been trying to find a court to lay charges in their months-long investigation into the alleged bribery of a Liberal candidate in the Sudbury by-election.

It seems, though, this attempt to lay charges has been stalled. The OPP commissioner is quoted as saying that he is frustrated at the problem of trying to find a court to lay charges, but he's confident that members of the OPP have done an exceptional job.

It seems that charges are imminent, that charges will be laid. What is this government doing to ensure that this investigation isn't stalled further, so that charges can be laid and so that Ontarians can learn the truth about what happened in the bribery scandal?

**Hon. Deborah Matthews:** Government House leader.

**Hon. Yasir Naqvi:** I must say that I am very surprised to hear this question from the member opposite, who happens to be a lawyer and who presumably knows how the system works. He knows that the system is very independent and arm's-length from the government.

From day one, we have been absolutely clear that this investigation is arm's-length from the government. It is being undertaken by the proper authorities, and their processes will determine the entire investigation and the process. There is no engagement, there is no interference from the government, and that is absolutely clear, so I am not sure what the member opposite is trying to ask, except that he is trying to interfere. He is seeking interference from the government in an arm's-length process, which is totally unacceptable.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Mr. Jagmeet Singh:** I'm sure the government agrees that the OPP do phenomenal work in our communities, and they've done an exceptional job here. They seem to think that a case is made that there is enough evidence to proceed to charges against a senior member of the Premier's office.

The Liberal government has repeatedly promised that they will be an accountable and transparent government. The people of Ontario want and demand a transparent and accountable government, so when there's an allegation of something as serious as bribery involving a senior official in the Premier's office, it raises some serious questions, and Ontarians deserve to have those answers.

We are hopeful that a criminal investigation, and now a potential upcoming criminal prosecution, will provide those answers, but we need assurances that the government will provide the necessary support and resources to ensure that this investigation proceeds to a prosecution. Will this government commit to providing support to this investigation?

1120

**Hon. Yasir Naqvi:** I've never heard a question with as many ifs and mayas and coulds and maybes and shoulds and woulds as I just did in this question.

It's absolutely clear that this is an arm's-length investigation, at arm's length from the government. No charges have been laid at this point. Speaker, let me be absolutely clear that when it comes to any elements of

prosecution, this matter is in the hands of the Public Prosecution Service of Canada. It is not being dealt with by the Ministry of the Attorney General. From day one of this investigation, we moved this entire process into the hands of the Public Prosecution Service of Canada, which is part of the federal ministry of justice. This is at arm's length, Speaker.

All the resources of the processes in the system are always available. I urge all the members, especially members like the member opposite, who happens to be a lawyer, to respect the process and don't urge the government to interfere in the process.

### CULTURAL DIVERSITY

**Ms. Indira Naidoo-Harris:** My question is for the Attorney General. As recently as Tuesday, I have been reading newspaper articles and hearing public outcry regarding a recent Federal Court of Appeal decision that was handed down. My constituents in Halton, as well as myself, would like some clarification about the case.

I understand that the federal appeal court ruled from the bench that the federal government's policy of forcing face coverings such as niqabs to be removed while taking the Canadian citizenship oath violated the Citizenship Act.

Mr. Speaker, the act clearly states that candidates for citizenship must be allowed the greatest possible religious freedom when they take the oath. I had read that Ontario intervened, but was wondering if, through you, the Attorney General could provide some clarification on the case itself, as well Ontario's position on the matter.

**Hon. Madeleine Meilleur:** I want to thank the member from Halton for this very important question. As Attorney General of Ontario, I welcome the Federal Court of Appeal dismissal of the federal government's appeal over a ban on face coverings at citizenship ceremonies.

A guiding principle of our government is to treat everyone with dignity and respect, and to accommodate diverse identities as outlined under the charter and the Human Rights Code of Ontario. It is imperative to ensure that this principle applies to all women in our province, regardless of their religious beliefs. That is why the government of Ontario intervened before the Federal Court of Appeal in this case, in support of Ms. Ishaq's position.

For the above reasons, if leave to appeal this matter is granted by the Supreme Court of Canada, Ontario will intervene to defend the rights and freedoms we hold so dear.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Ms. Indira Naidoo-Harris:** I'd like to thank the Attorney General for her excellent answer. Now, one of the concerns I have heard from my constituents is that the federal government's insistence that women remove their face coverings for citizenship ceremonies isn't just an inappropriate position from the perspective of religious freedom; it's also inappropriate on a gender basis. The

federal government's position discriminates against women.

Mr. Speaker, can the minister please inform the House on the government's perspective regarding the gender bias inherent to the federal government's position on face coverings at citizenship ceremonies?

**Hon. Madeleine Meilleur:** Minister responsible for women's issues.

**Hon. Tracy MacCharles:** Thanks again to the member from Halton. This is a very important and serious question.

Absolutely. This federal policy—which, I'd like to note, has been struck down decisively by the court twice—is inappropriate on so many levels, and of special concern to me is the impact it has on women.

We know that women's clothing choices have often come under unwarranted attention and judgment, as a reflection of their character and trustworthiness. Whether it's a niqab or a miniskirt, that is not okay. It's simply not okay to deny the dignity and autonomy of any woman to wear what she wants—

**The Speaker (Hon. Dave Levac):** Can I please have this refer to government policy?

**Hon. Tracy MacCharles:** And it's true when the result of not complying with a federal directive—from an Ontario women's perspective, we're very concerned about this, and we support this woman as her case moves forward.

### PAY EQUITY

**Mr. Jeff Yurek:** My question is for the Minister of Community and Social Services. We all know the importance of Community Living associations throughout Ontario. They provide support and services for people with intellectual disabilities, their families and communities across the province.

Unfortunately, your government downloaded the costs of pay equity to the local level. Premiers Rae, Harris and Eves supported pay equity funding, but the Wynne government has not. Many Community Living associations are facing financial pressures in which they are unable to meet their pay equity obligation, which is resulting in the elimination of services and support in our communities.

How can you expect the many Community Living associations in Ontario to meet their pay equity obligations and still maintain a viable organization that looks after some of society's most vulnerable?

**Hon. Helena Jaczek:** Thank you to the member for the question. Certainly the situation with Community Living Elgin is one that I have become very familiar with, and our ministry is working very closely with that organization to ensure—first of all, the most important aspect of this particular situation is that individuals continue to have access to the services and supports that they require, and that partners and staff in the sector are fully supported in that work.



Certainly, the organization, which, of course, is an independent organization with its own board of directors, is a transfer payment agency of our government. They are expected by us to provide the services to the individuals and the families that require them. We are monitoring the situation at Community Living Elgin extremely closely.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Mr. Jeff Yurek:** Minister, I'm glad you mentioned my riding. Community Living Elgin has announced it plans to eliminate 17 full-time positions—64 staff cuts—as well as close the drop-in centre at the Talbot Teen Centre, eliminate the day support programming at 2 Curtis Street, and shut down a group home on East Street. This is based on a plan approved by your ministry. These cuts are a reality in part because of a deficit caused by the unfunded pay equity in excess of \$300,000.

But my riding is not alone, as other Community Living associations across the province are facing the same situation. Minister, are you going to correct your financial mismanagement by punishing those most vulnerable?

**Hon. Helena Jaczek:** My ministry is monitoring the situation at Community Living Elgin extremely closely. In fact, we're conducting a financial review of that particular organization, and it will take a number of weeks to complete that review. I want to assure everyone that, in fact, Community Living Elgin has received increasing funds from our government. They are changing some of their service provision to, in fact, include programs where workers are ensuring that there are wraparound services around individuals so that they can be more included in the local community.

This is all being monitored very closely to ensure that concerned families and individuals are satisfied with the types of services that are being provided. We will continue to monitor this situation closely.

#### TEACHERS' COLLECTIVE BARGAINING

**Mrs. Lisa Gretzky:** My question is to the Acting Premier. Parents and students deserve stability in our schools, but for more than a year this Liberal government has failed to reach new collective agreements that protect the quality of publicly funded education and respect all of our teachers and education workers.

Three hundred and eighty-two days after the last contracts expired, this Premier has no excuse—no excuse—for not being at the table and working as hard as she can to reach tentative agreements with elementary teachers and education workers. Will the Acting Premier do what the Premier has failed to do all week and send the education minister back to the bargaining table today?

**Hon. Deborah Matthews:** Well, for a fleeting moment, just a fleeting moment, I thought maybe the member opposite would stand up and say, "I'm really pleased to see that a tentative agreement has been reached with the third teachers union, AEFO." I am very proud that we now have ETFO, OSSTF and now AEFO who have

signed tentative agreements and are in the process of ratification. That is very good news for the students of Ontario and their parents.

Ontario students deserve the very best education. In fact, we are proud that we have one of the finest education systems in the world and we want to maintain that. When it comes to negotiations with ETFO, the member opposite knows that in May, ETFO decided that it did not want to negotiate. It walked away from the table in May. Finally we were able to come back on September 1. We are very interested in reaching a settlement with them, and we will continue to work when they are ready to come back.

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**The Speaker (Hon. Dave Levac):** Supplementary?

**Mrs. Lisa Gretzky:** I'd be happy to see the government back at the table with ETFO and all education workers.

Speaker, again to the Acting Premier: The Premier and education minister have had over a year to negotiate new agreements with all of our dedicated education workers and teachers. They have failed to deliver the stability that parents and students deserve. Now the Premier thinks she can short-circuit real bargaining by trying to impose a deal and then walking away from the table. Speaker, that's not how it's done. Once again, we see that the Premier is more interested in helping the federal Liberal campaign than she is in negotiating agreements that restore stability in our classrooms.

How can the Acting Premier defend this Liberal government's failure to get back to the bargaining table, get back to real negotiations and reach agreements with all of our teachers and education workers?

**Hon. Deborah Matthews:** I can assure the member opposite that we've been working hard to reach that agreement. We did table a comprehensive approach, Speaker. We are waiting for them to respond to that approach. I can assure you that when they are ready to respond to that, we will be at the table in a nanosecond.

We want kids to be in a good learning environment. We want teachers to be free of the stress that comes with labour uncertainties. We are very motivated. This has nothing to do, from our side, with the federal government.

We are working with CUPE. We are working with other educational workers. We want that peace and stability in our classroom, and I am delighted that we have had success with OECTA, with OSSTF and now with AEFO.

#### PAN AM GAMES

**Ms. Soo Wong:** My question is for the Minister of Tourism, Culture and Sport. This summer, I was thrilled to be one of the millions of Ontarians to be caught up in Pan Am fever. It was hard to miss, Mr. Speaker. There was something for everyone: thrilling athletic competitions, amazing musical performances and culinary experiences from across the Pan American countries.

Whether it was through the torch relay that touched 130 communities in Ontario or celebrations that were held during the games, across the province Ontarians were cheering on our athletes.

Furthermore, thousands of enthusiastic volunteers, like Scarborough-Agincourt youths Cindy Yu and Lina Ly, made the games possible. They supported the athletes and celebrated their achievements throughout the games.

Speaker, through you to the minister: Can he please inform the House about how people from the province, the country and the world participated in the Pan Am and Parapan Am Games this summer?

**Hon. Michael Coteau:** I want to thank the member from Scarborough-Agincourt for her question and also for her support for the Pan Am and Parapan Am Games. She's absolutely right: Ontarians loved the Pan Am and Parapan Am Games.

Mr. Speaker, there was a lot of hard work put into it, and it took a lot of hard work from people throughout our ministry and our partners across Ontario, but also from several members of this House. I know Minister Naqvi was responsible for coordinating a strong security plan; it was very successful. Minister Del Duca kept the region moving, and I'm very thankful for his work. Minister Duguid looked at infrastructure, and we were able to come \$56 million under budget with our infrastructure. And, of course, the Premier is a strong advocate for sports and athleticism here in the province of Ontario.

There were also members opposite who showed up to support our athletes, and I want to support the members and the opposition who showed up to support our athletes because it was very important for the success of the games.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Ms. Soo Wong:** I know that our government bid on these games not only for the incredible excitement that occurred during the games, but also to provide a legacy that would benefit our province for generations to come.

In Scarborough, we are fortunate to have a brand new, state-of-the-art aquatic centre that provides much-needed community recreation space for university students and the Scarborough community. The facility is expected to serve 1,000 to 1,500 students per day from the University of Toronto's Scarborough campus. This facility will provide a lasting legacy not only for high-performance athletes, but also for students, sporting groups and community residents of all ages and abilities.

Speaker, through you to the minister: Can he please inform the House about the legacy left behind by the Pan Am and Parapan Am Games?

**Hon. Michael Coteau:** The member is right. There were a lot of new facilities built and some retrofits with the existing facilities that were here in Ontario.

If you look around the GTA and across many parts of the province, these facilities bring in a renewed sense of inspiration to our athletes and people involved in amateur sport across Ontario. When you go out to Milton and look at the velodrome, it has just transformed that landscape. The member is right about Scarborough and the

aquatics centre: It is transformative. We've built into the plan over 90,000 hours of community use for people to get into those buildings and use those facilities.

In addition to that, during the Pan Am Games, I was proud to see that spending was up. In fact, we had an 8% increase in electronic debit transactions during the same time over the previous year, and hotels were sold out. It was such a success, and I want to thank everyone involved for being part of that success.

## PRIVATIZATION OF PUBLIC ASSETS

**Mr. Todd Smith:** My question this morning is for the Deputy Premier. The decision to sell Hydro One was made behind closed doors, by the banker the Premier brought in to be the training wheels for the finance minister. There was no public consultation.

I just want to share with you comments from one Ontarian: The "government has no mandate to sell off the grid and there has been no [public] consultation [or debate] about such a sale...." He went on to say, "Selling the crown jewel of our electricity system is a very serious mistake." That was said in the Legislature, not by me or the opposition leader. It was said by former Liberal cabinet minister Sean Conway.

Members of the Liberal Party have raged against selling Hydro One in the past. Now they are perfectly okay with selling it off to their buddies on Bay Street? Liberals sitting in cabinet opposed the fire sale of Hydro One. How do they feel about Ed Clark having more say than they do?

**Hon. Deborah Matthews:** Given that the member opposite is interested in some quotes from days gone by, I have some for you, too. I have some quotes from the member from Simcoe-Grey. Let's just listen to what he said: "The government announced on December 12, 2001, that it had decided to privatize Hydro One.... We believe this decision best serves the interests of Ontario taxpayers and electricity customers."

**Interjection:** Who said that?

**Hon. Deborah Matthews:** The member for Simcoe-Grey; he will remember that.

He also said, "Over the long term, we believe that the restructuring of the electricity system in Ontario will impose sufficient market discipline...."

But that is not enough. There is more, Speaker. On January 24, 2002, he said, "We believe this decision best serves the interests of Ontario taxpayers and electricity customers.... Some people mistakenly refer to electricity competition as 'deregulation.' It's not."

**The Speaker (Hon. Dave Levac):** Supplementary?

**Mr. Todd Smith:** You know, I have got to warn the Liberals that the fire sale of Hydro One is spreading.

Let's continue the theme of throwback Thursdays. I have another quote from someone from eastern Ontario who said, "Ontario families want affordable, reliable electricity. They know that the sale of the grid that carries electricity to their homes is a disaster for consumers." He then went on to warn that selling Hydro One was a



reward for corporate friends and that people want the sale stopped.

Do you know who said that? That was their former Premier Dalton McGuinty who said that. Even the former Premier, no stranger to handing government contracts to their Liberal pals, knew that Hydro One was just going to be a bottomless trough for well-connected insiders.

Will the Premier stop the Hydro One sale or is she eager to do exactly what Dalton McGuinty warned and stuff her friends' pockets?

*Interjections.*

**The Speaker (Hon. Dave Levac):** Stop the clock, please.

**Mr. John Yakabuski:** Even Dalton was right from time to time.

**The Speaker (Hon. Dave Levac):** I don't accept drive-by heckling.

*Interjections.*

**The Speaker (Hon. Dave Levac):** On a serious note, I would advise the member to be very cautious of the type of language he used in his last sentence.

**Hon. Deborah Matthews:** Speaker, I really do need to point out that when the PCs were in power and they were busy selling off Highway 407—you'll remember that, I suspect. While the member from Pembroke doesn't want to be reminded, selling off Highway 407—fire sale price, no ongoing revenue—actually was helpful to us as we designed a program that maintains de facto control for the people of Ontario.

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Your plan was to sell 100% of Hydro. Make no mistake about it, you wanted to sell it altogether; you wanted no oversight. We are broadening the ownership; we are generating some assets so we can invest in other assets.

This is an important initiative to undertake, because the people right across this province, whether they're in big cities or small towns, rural areas, medium-sized cities, are all asking for investments in infrastructure. The only way we can do that is by leveraging existing assets so we can build new ones.

## PESTICIDES

**Mr. John Vanthof:** My question is to the Minister of Agriculture. Farmers across Ontario have become very frustrated with the government's seeming unwillingness to develop regulations regarding neonic-treated seed that actually work on the ground.

The first sign was when they held the EBR consultations in the middle of planting season, when farmers had no time to talk about the regulations, and things haven't gotten any better.

One screaming example is you need a certified crop adviser to approve your needs assessment for neonic seed. We agree with that; farmers agree with that. But the crop adviser can't be affiliated with any company that sells seed, so the majority of crop advisers are now out of the game—people that farmers have trusted for years.

Does the minister actually believe that these people aren't competent or independent?

**The Speaker (Hon. Dave Levac):** Minister of Agriculture, Food and Rural Affairs.

**Hon. Jeff Leal:** Thanks very much, Mr. Speaker. Through you to my friend from Timiskaming-Cochrane, I want to thank him for his question this morning.

As we do know, there is a legal case that is pending on the regulations, and I can't comment on that. But basically, we have identified four contributing factors to pollinator health in the province of Ontario: Number one, there were two severe winters that have caused an impact on pollinator health. Two, the fact is that there are a number of hives in Ontario that have been invaded by the varroa mite. Three, there is the management issue of the hives between professional managers and hobbyists. And four, there is the blanket use of neonics across the province of Ontario.

The bottom line is, if you need to use neonics in the province of Ontario, if you have demonstrated need, you can get access to them, to our farmers in Ontario.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Mr. John Vanthof:** Once again to the minister: I asked a specific question, and I didn't get an answer, so I'm going to rephrase it.

I'm a farmer. I've used the same certified crop consultant for 20 years, Terry Phillips, from the Temiskaming ag co-op. I've trusted him. He has told me at times, "You know, John, you shouldn't spray, because it's too late," or "It's not effective," or "Maybe you should rotate more." He has given me good advice. But Terry Phillips, according to the government, is not qualified to give me advice on neonics. That's ridiculous, and I'm glad I'm a farmer, to be able to say that.

The minister should take heed that a crop adviser is a crop adviser. They're certified, and if they're not certified—tell me why you don't believe in their certification.

*Interjections.*

**The Speaker (Hon. Dave Levac):** Be seated, please. Thank you.

Minister.

**Hon. Jeff Leal:** I want to thank the member for his supplementary question—

*Interjection.*

**The Speaker (Hon. Dave Levac):** The member from Dufferin-Caledon, come to order.

You go ahead.

**Hon. Jeff Leal:** I want to thank the member for his supplementary question, because I just found out something this morning. The member from Timiskaming-Cochrane had this to say on May 7 to the Chatham Daily News: "As a party, we believe there is room for more regulation. I've used neonics on my farm, they're very effective, but they were, perhaps, overused..."

"Do we believe there should be stronger regulations?" Mr. Speaker, he said, "Yes."

## RESEARCH AND INNOVATION

**Mr. Chris Ballard:** My question is to the Minister of Economic Development, Employment and Infrastructure. Minister, I know your ministry has been very involved in

our government's efforts to spur innovation in this province and sharpen our competitive advantage in the global marketplace.

One way we've done this is through creating an innovation hub at MaRS, a hub that works to equip innovators and organizations with entrepreneurial skills required to compete in the 21st century.

*Interjections.*

**The Speaker (Hon. Dave Levac):** Carry on, please.

**Mr. Chris Ballard:** Thank you, Mr. Speaker. As I was saying, MaRS has been a critical component for fledgling private sector start-ups and health science researchers. Despite this important mandate, I understand that MaRS has had troubles in the past with respect to its lease-up situation. Minister, does the project still pose challenges?

**Hon. Brad Duguid:** I'm very thrilled this morning to be able to say to you, Mr. Speaker, that we really have turned the page on MaRS. This has been a challenging year, and it's great to see that happening.

When the financing of the west tower ran into difficulties associated with the global recession, many said that this province should walk away. Mr. Speaker, we didn't. We consulted real estate experts Michael Nobrega and Carol Stephenson. We got some good advice. Just as importantly, we had the courage to take that advice. It was unfettered advice. It was good advice.

Last December, when we announced that our government was stepping up to put MaRS on a solid footing, we had full confidence that that west tower would be a success. Today, I can now confirm that MaRS has attracted a really interesting and effective mix of innovative tenants that will drive research, innovation and commercialization. It's now 70% leased, well on the way to being fully leased. This is a success story.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Mr. Chris Ballard:** Thank you, Minister, for that exciting update. I know that this project is something that is very important to not only residents in my riding of Newmarket–Aurora but of course residents and business people across the province. It's exciting, and I'm so glad to hear that the minister stuck to his guns.

Minister, recently the government announced that a new, innovative tenant was joining the ranks at MaRS and was setting up their Canadian headquarters here. This is surely an important milestone for a significant project such as MaRS. JLABS is a major research and development engine that assists health and bioscience companies transform science research into breakthrough health care products. The members opposite have been criticizing this project at every step, Mr. Speaker, but now it seems that the building is leasing up on time and that things are moving forward smoothly.

Can the minister speak to what this tenant—

*Interjections.*

**The Speaker (Hon. Dave Levac):** Stop the clock. Before we finish, another reminder for all members: Let's stay focused on how we present the question in the third person to the chair.

**Hon. Brad Duguid:** Mr. Speaker, our government is very pleased that JLABS has agreed to establish its largest research innovation life science incubator here in Ontario. There is no question that JLABS is a coup for this province's bioscience sector.

The competition was stiff from other jurisdictions. We won that business, Mr. Speaker, because we stepped up with investments that helped ensure that that investment came here instead of to other places in North America.

Also, because of the availability of the MaRS west tower, JLABS ended up at MaRS, but we were pursuing them regardless of where they wanted to go in Ontario. They chose MaRS because it was the perfect location for them.

The members opposite urged us to walk away and leave that building rotting in the ground. Instead, we stepped up, and the result is the attraction of companies like JLABS, which are proven innovation engines that are going to drive our bioscience sector forward here in the province of Ontario.

#### BRIDGE REPLACEMENT

**Mr. Toby Barrett:** To the Minister of Transportation: We are approaching one year since construction has been shut down on the Cayuga Bridge on provincial Highway 3 because of intimidation. The minister's letter of August 14 said that construction was paused due to a request from the Haudenosaunee Development Institute, or HDI, out of Six Nations. They walked out on the bridge and the construction workers left.

The temporary bridge is a problem for farm machinery and for large trucks. It's an eyesore. I regularly receive calls from Cayuga wanting to know when the new bridge will be completed. The original was built in 1924.

When will construction workers be allowed back on the bridge? The Minister of Transportation's letter in August noted that a date for resumption of work has not been scheduled. Can he now tell this House if a date for start-up has been set?

**Hon. Steven Del Duca:** I thank the member opposite for this question. I know he has raised this particular issue in the Legislature in the past, and some of my colleagues on this side have had the chance to answer, as well.

Of course, the Ministry of Transportation is keen to see progress on this particular issue. We know it's important to this particular part of the province. We are in consultation on a regular basis not only with our partners and stakeholders in the community but also the Ministry of Aboriginal Affairs to make sure that we are successfully fulfilling our responsibilities with respect to the duty to consult. We will continue to endeavour to reach a resolution on this very important matter.

I have no concern whatsoever, of course, with respect to keeping this particular member, should he have additional questions offline outside of the chamber itself, in the loop, as they say, with respect to what's happening in this particular part of the province. As soon as the minis-



try can provide a comprehensive answer by way of a specific update, I'll be happy to provide that information.

### VISITORS

**The Speaker (Hon. Dave Levac):** Point of order, the member from Burlington.

**Ms. Eleanor McMahon:** A point of order to introduce some late-arriving guests: On behalf of the Minister of Natural Resources and Forestry and his legislative assistant, Kory Preston, I'd like to welcome Kory's parents, Ron and Kathy Preston, to the Legislature today. They've come all the way here from Wallacetown, Ontario, to join us.

We're pleased to have you here. Welcome to Queen's Park.

**The Speaker (Hon. Dave Levac):** The Minister of Health and Long-Term Care.

**Hon. Eric Hoskins:** I was remiss in not introducing the family of Jaleelah Ammar, our page captain today. She's here with her parents, Marie and Kamal, and brother Hasan, in the gallery.

**The Speaker (Hon. Dave Levac):** There being no further points of order and no deferred votes, this House stands recessed until 1 p.m.

*The House recessed from 1151 to 1300.*

### INTRODUCTION OF VISITORS

**Mrs. Gila Martow:** I'd like to introduce my nephew Mattan Lustgarten, who came to visit today. He's second year U of T medical school, so I'm hoping to see him every Thursday to come by and visit because he's going to have a little break then. Thanks, Mattan.

### MEMBERS' STATEMENTS

#### STEVENSON MEMORIAL HOSPITAL

**Mr. Jim Wilson:** Stevenson Memorial Hospital in Alliston requires provincial health care dollars so they can proceed with a redevelopment project that involves a new emergency department, operating rooms, diagnostic imaging and laboratory.

This hospital is in dire need of more room so it can continue to provide the topnotch health care that it is so well known for. As the population ages, the hospital's needs will only continue to grow.

Just to give you an example of the pressures on the hospital, it was built in 1964 for just 7,000 emergency room visits each year, but today it experiences more than 33,000 visits and it hasn't grown by a single inch since 1964.

Recently, I launched a petition calling on the government to make the appropriate dollars available, and I'm pleased to report that every day we collect more and more signatures. But we need to put more pressure

on the government, so I ask people wanting to sign the petition. They can find a copy of it at my website, jimwilsonmpp.com.

As you know, Mr. Speaker, we need original signatures. We haven't quite gone to electronic petitions yet in the House, something we're debating. We need original signatures, so I'd ask people to download and print off a copy of the petition at jimwilsonmpp.com and send it in to my office at 180 Parsons Road in Alliston.

I want to thank the staff and the hospital board for their role in getting the hospital ready for an expansion. I hope the government will listen to the people who sign the petition and, in particular, the patients who need the services.

### LAND USE PLANNING

**Mr. Gilles Bisson:** Now back to regular programming.

*Laughter.*

**Mr. Gilles Bisson:** Well, what do you say after that?

Mr. Speaker, I rise in order to raise an issue that I think we're going to have to start figuring out how to deal with. For some years now, the Ministry of Natural Resources has lost the capacity to do most of what it used to do not only in northern Ontario but across this province. One of the things they used to do was lake impact studies in order to determine if there's crown land that could be rightfully put for sale so that people can build cottages. It's no different than what we do when it comes to building subdivisions in all of our communities across this province.

There's the planning process. You have to go according to rules to determine if the area is able to deal with having those houses. In the case of cottages, the MNR is the only ministry that has the authority and capacity to determine if cottage lots can be developed on crown land on lakes across this province. Unfortunately, for some now almost 30 years, the government has not done any work when it comes to doing that because they don't have the cash to do it. As a result, people who want to build cottages are unable to do so because there's no land available. You're left with option A, buying an existing cottage, for which the price is fairly expensive, or buying somebody's old cottage, ripping it down and building a new one.

I would ask the government to look at putting in place a pilot project in order to deal with trying to make cottage lots available in this province so that people can build that leisure world that they all want.

### INTERNATIONAL DAY OF DEMOCRACY

**Ms. Harinder Malhi:** Today, I stand to recognize the United Nations' International Day of Democracy, which is usually on September 15 of each year. This day, which has also inspired Democracy Week here in Canada, encourages the general public to learn more about the

electoral process and be ready to cast their ballot by knowing when, where and ways to register and vote.

Democracy, and specifically democratic governance, make certain that human rights and freedoms are respected and protected and that all are free from any discrimination based on race, ethnicity, class, gender or any other attribute. Through democracy, people have a say in decisions that affect their life and can hold decision-makers accountable. Many of the benefits that we enjoy as a society today can be directly linked back to our solid democratic foundation and commitment to representative government.

Throughout this week, students in classrooms across Ontario will have a chance to engage in civic education by learning about the issues that affect their communities. As many of this House know, a growing number of Ontarians, especially youth, are often disengaged from the democratic process. That is why I'm encouraging all members of the House to inform youth in their ridings of the Legislative Assembly of Ontario's Model Parliament program. The three-day program for students in grades 10 to 12 will select 107 students, one from each of the province's ridings, to experience the Legislature firsthand. Coincidentally, the first day to submit applications also happened to be September 15. It's a perfect opportunity to get the conversation started with youth and encourage the leaders of the future.

### SOLAR FARMS

**Ms. Laurie Scott:** The Green Energy Act continues to assail rural Ontario, especially in my riding of Haliburton-Kawartha Lakes-Brock. We have fought for years against industrial wind turbines on the Oak Ridges moraine. Residents and local councils stood firmly against them.

A new monster is rearing its head. Large energy developers are now enticing municipalities by offering cash incentives—essentially bribes—for their support for massive industrial solar farms. It begs to ask the question: How much money are these companies making?

While the temptation to accept these bribes can be overwhelming, I congratulate the city of Kawartha Lakes for standing on principle with its residents and saying no. They said no to all 10 proposals for solar farms within their borders. How can the government be okay with developers who stand to make a profit while hundreds of acres of agricultural land will be lost? Woodlands and wetlands, including habitat for species at risk, will be significantly affected. Environmental and health concerns still exist.

Under the Municipal Act it is illegal for a municipality to offer incentives such as tax breaks to attract a development or a business. Yet the Liberals are essentially allowing the reverse to take place. With the increasing burdens that rural municipalities face under the Liberal government, Kathleen Wynne should outlaw this practice immediately. Respect for rural Ontario is not a catchphrase; it is a commitment that is manifested in action.

### SECRETS OF RADAR MUSEUM

**Ms. Teresa J. Armstrong:** Today I would like to say a few words about the Secrets of Radar Museum in my riding of London-Fanshawe. The museum's exhibits tell the often overlooked story of thousands of women and men who served the radar during World War II as mechanics, operators, teachers, trainers, physicists and researchers.

Many of these early radar veterans went on to have leadership roles in the development of radar during in the Cold War and in the Canadian electronics industry. They took oaths of secrecy for the course of their service and beyond. For nearly 50 years these men and women kept the truth from their families and friends, many of them taking the secrets to their grave prior to the expiry of the Official Secrets Act in 1991.

The museum opened in 2003 and is the only museum of its kind in Canada, making a unique addition to London's history and culture and contributing to tourism in the city. I am thrilled that this year the Secrets of Radar Museum was selected to participate in the community exhibits program here at Queen's Park, where the collection can be shared and appreciated by community tour groups, staff of the Legislature and my fellow MPPs. I would invite members of the Legislature to stop by the exhibit in the west wing gallery sometime between now and the conclusion of the exhibit in November.

### BURLINGTON FLOOD RELIEF

**Ms. Eleanor McMahon:** I rise today to recognize the volunteers and donors who helped rebuild my community after the August 4, 2014, flood in Burlington. This week I attended a special event hosted by the city of Burlington and our community foundation, where we watched a documentary on the Burlington flood produced by TVCogeco Halton.

In it, we watched as creek beds overflowed and water rushed down our streets into people's backyards and homes. Thousands were impacted, with close to \$100 million in losses.

This summer, residents in some of the hardest-hit areas told me that the support of friends and neighbours was overwhelming. People brought food, did their neighbours' laundry and provided a listening ear and a shoulder to cry on. Guided by the remarkable Colleen Mulholland, CEO of our community foundation, and under the leadership of Ron Foxcroft, Burlington's Citizen of the Year, individuals and businesses in our community contributed an astounding \$1 million to the flood relief fundraising efforts.

These funds were matched two to one by our province, I'm proud to say, and five volunteers on the disaster relief committee then got to work processing 300 claims and overseeing the distribution of \$2.7 million.

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The unity of our community's response was remarkable: our mayor, our council, our city and regional staff,



who showed such dedication, compassion and care; and our first responders, our donors, and hundreds of volunteers who gave of their time and talents pitching in when and where needed.

Lessons learned helped shape two new provincial disaster relief programs that will make it easier and faster to get financial assistance following a natural disaster, and I'm proud of that.

A commemorative plaque will be installed in front of Burlington city hall to mark this day, which we will never forget. So while there were countless losses that day as a result of this terrible flood, I'm very proud of the response of my generous and caring community of Burlington.

#### BY-ELECTION IN SUDBURY

**Mr. Steve Clark:** I'm disappointed that, in the past three years, there have been serious allegations levied against several high-ranking officials in the government of Ontario.

As you're well aware, it was February 16, 2012, that Ontario Provincial Police officers first launched the formal investigation of Ornge because of apparent financial irregularities. That was followed by an investigation initiated on June 7, 2013, as Liberal staffers were accused of destroying emails related to the cancellation of the two gas-fired power plants.

On January 15, 2015, I personally wrote to the Ontario Provincial Police asking that the case be reopened into the investigation of alleged bribery perpetrated by the Premier's office to dissuade a candidate from running. On February 19, 2015, Elections Ontario announced an "unprecedented finding": that Liberal operatives Gerry Lougheed Jr. and Pat Sorbara's actions were an "apparent contravention" of the Election Act.

We are still waiting and justice appears to be stalled. The commissioner of the OPP has said he is frustrated with the progress of the case. I have no doubt the OPP has done a thorough job, but enough is enough. We all heard the tape. The people of Ontario have heard the tape. The people of Sudbury deserve justice and the people of Ontario deserve their day in court.

#### CANADIAN NATIONAL EXHIBITION

**Mr. Han Dong:** I'm pleased to rise in the House today to acknowledge and celebrate the Canadian National Exhibition and its 137 years in Toronto. As this is the first week back in the Legislature, I believe it is important to highlight the excellent work that so many organizations, sponsors and volunteers did in the 18 days of the CNE.

The CNE is affectionately embraced as an end-of-summer ritual by more than 1.4 million visitors annually, including those from lovely neighbourhoods like Liberty Village, Fort York and CityPlace. I believe this year the CNE saw a significant increase in visitors over last year. The CNE provides more than just fun and games; it also

provides youth job opportunities for students and countless hours of volunteer time for people of all ages.

This year, the CNE had many exciting experiences. There was an amazing lineup of celebrity chefs to showcase their culinary skills, a citizenship ceremony where approximately 56 new Canadians from 18 different countries were sworn in, and the 66th annual Canadian International Air Show that took to the sky above Lake Ontario.

I enjoyed a fun family outing with my kids, Matthew and Emma.

The team at the CNE did an excellent job this year, and I would like to commend everyone involved on a job well done.

#### TERRY FOX DAY

**Ms. Soo Wong:** I rise today to speak about the upcoming Terry Fox Day in Ontario. On June 3, 2015, the Ontario Legislature unanimously passed my private member's bill, the Terry Fox Day Act, to designate the second Sunday after Labour Day as Terry Fox Day. I want to thank all my colleagues for their support in passing Bill 61 in time for the 35th annual Terry Fox Run.

As we mark the 35th annual Terry Fox Run, there will be numerous events and activities to honour Terry across Ontario.

Last Saturday, I attended the unveiling of a bronze statue of Terry Fox in Richmond Hill's beautiful Ransom Park, which Terry once ran through. Also in attendance were Her Honour Elizabeth Dowdeswell, the Premier and Minister Moridi, along with Terry's brother and sister, Fred and Judith.

I want to thank Richmond Hill resident Glemena Bettencourt for her tireless work in preserving Terry's legacy.

To mark the first official Terry Fox Day, I will be hosting a celebratory event in my riding of Scarborough-Agincourt this Saturday, September 19, at Bridlewood Park to further raise awareness and to reflect on Terry's legacy.

With the first official Terry Fox Day nearly upon us, I want to encourage every Ontarian to reflect on the contributions made by Terry Fox and to join in the 35th annual Terry Fox Run this Sunday, September 20.

**The Speaker (Hon. Dave Levac):** I thank all members for their statements.

#### PETITIONS

##### ENERGY POLICIES

**Ms. Laurie Scott:** "To the Legislative Assembly of Ontario:

"Whereas Ontario families and businesses have seen their hydro costs more than triple under the Liberal government since 2003;

"Whereas the Liberal government's unaffordable Green Energy Act, the \$2 billion wasted on the smart meter program and the \$1.1 billion wasted on the cancelled gas plants will translate into a further 42% increase in hydro bills over five years;

"Whereas the Auditor General revealed that the Liberal government has collected approximately \$50 billion over the last decade through a global adjustment tax on hydro bills largely used to subsidize exorbitant green energy contracts;

"Whereas the Liberal government has allowed peak hydro rates to increase by 15% on May 1;

"Whereas the Liberal government's elimination of the clean energy benefit will mean an average increase in hydro bills of \$137 per year;

"Whereas the Liberal government's planned sale of a majority share of Hydro One will mean higher hydro bills;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To call on the Liberal government to protect Ontario families and businesses from further hydro increases by applying all proceeds from the sale of Hydro One to the \$27-billion electricity debt and imposing a moratorium on any new industrial wind and solar projects."

It's brought to me by Greg and Rose Tibbitts, Haliburton XTR station. I thank them very much for getting the petition signed.

### SCHOOL CROSSWALK

**Mr. Michael Mantha:** This petition was presented to me by hundreds of students from Manitoulin Secondary School. It reads:

"Petition for School Crosswalk Area:

"To the Legislative Assembly of Ontario:

"Whereas the Rainbow District School Board (RDSB) and Manitoulin Secondary School (MSS) have identified the intersection of Highway 540 and Highway 551 to be a safety concern as a student crossing and for the public's use; and

"Whereas the only major public secondary school in Manitoulin Island is situated only 200 metres away from the intersection of Highways 540/551, has no marking or signage indicating this is a major school crossing area; and

"Whereas the concern for the students' safety had been identified through a survey conducted with students and staff of MSS using this intersection on a regular basis for: athletic purposes, class/field trip activities, and for patronizing local businesses; and

"Whereas the intersection of Queen's Highway 540 and Highway 551 would need to be rezoned for the purpose of establishing a student crossing zone;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to take necessary steps to: rezone this intersection as a school crosswalk area; install clear, visible, bold crosswalk markings on the pavement; install large, visible school crossing zone signs; and

install a flashing amber light warning motorists that this intersection is a school crosswalk area."

I wholeheartedly thank the students from MSS for presenting this petition.

### LUNG DISEASE

**Mr. Chris Ballard:** I have a petition to the Legislative Assembly of Ontario.

"Whereas lung disease affects more than 2.4 million people in the province of Ontario, more than 570,000 of whom are children. Of the four chronic diseases responsible for 79% of deaths (cancers, cardiovascular diseases, lung disease and diabetes) lung disease is the only one without a dedicated province-wide strategy;

"In the Ontario Lung Association report Your Lungs, Your Life, it is estimated that lung disease currently costs the Ontario taxpayers more than \$4 billion a year in direct and indirect health care costs, and this figure is estimated to rise to more than \$80 billion seven short years from now;

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"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To allow for deputations on MPP Kathryn McGarry's private member's bill, Bill 41, the Lung Health Act, 2014, which establishes a Lung Health Advisory Council to make recommendations to the Minister of Health and Long-Term Care on lung health issues and requires the minister to develop and implement an Ontario Lung Health Action Plan with respect to research, prevention, diagnosis and treatment of lung disease; and

"Once debated at committee, to expedite Bill 41, the Lung Health Act, 2014, through the committee stage and back to the Legislature for third and final reading; and to immediately call for a vote on Bill 41 and to seek royal assent immediately upon its passage."

I agree wholeheartedly with this petition, I have affixed my name, and I will give it to our page for delivery.

### TENANT PROTECTION

**Mr. Michael Harris:** Speaker, I have a petition I'd like to read called "Restore Fairness for Tenants," given to me by the good folks at Martin Grove Village just near Elmira, in my riding of Kitchener-Conestoga.

"To the Legislative Assembly of Ontario:

"Whereas landlords are not required to detail maintenance tenants should expect, allowing maintenance issues to become capital expenditures billed to the tenant; and

"Whereas tenants also have no notice or input into capital expenditures the landlord is committing them to; and

"Whereas landlords are not required to set up a residual or contingency fund to help mitigate capital costs to tenants; and

"Whereas despite lease agreements requiring landlords to provide potable water, tenants under boil-water



advisories are often forced to purchase their own water with no opportunity for reimbursement; and

"Whereas some landlords use above-guideline increases (AGI) to cover the entire cost of capital expenditures plus interest and are not limited in the length of time AGI is to be paid and eventually removed; and

"Whereas landlords are allowed to apply for AGIs on a regular basis, sometimes to cover expenses for repeated needs;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Restore fairness for tenants, and repair the Landlord and Tenant Act: to ensure all maintenance is detailed and completed, allow notice, input and transparency into all property-related capital expenditures, create a contingency fund to mitigate capital costs, ensure all tenants have immediate and direct access to potable water, and ensure accountability and clear timelines for above-guideline increase (AGI) provisions."

Speaker, I will send this petition down with Laura and affix my signature to it.

#### FIRST RESPONDERS

**Ms. Cheri DiNovo:** "To the Legislative Assembly of Ontario:

"Whereas emergency response workers (firefighters, police officers and paramedics) confront traumatic events on a near daily basis to provide safety to the public;

"Whereas many emergency response workers suffer from post-traumatic stress disorder as a result of their work;

"Whereas emergency response workers go through painstaking steps in order to receive WSIB benefits based on post-traumatic stress acquired while serving the public;

"Whereas Bill 2 'An Act to amend the Workplace Safety and Insurance Act, 1997 with respect to post-traumatic stress disorder' sets out that if an emergency response worker suffers from post-traumatic stress disorder it is presumed that they acquired the illness on the job, unless the contrary is shown;

"Whereas this change would ease the process for receiving benefits for emergency response workers with post-traumatic stress disorder arising out of work;

"We, the undersigned, petition the Legislative Assembly of Ontario to unanimously endorse and quickly pass Bill 2 'An Act to amend the Workplace Safety and Insurance Act, 1997 with respect to post-traumatic stress disorder'."

Six years of doing this is long enough, Speaker. I absolutely agree. It's time to do the right thing. I'm going to sign this and give it to Siena to be presented to the table.

**The Deputy Speaker (Mr. Bas Balkissoon):** The member for Beaches–East York.

#### FRENCH-LANGUAGE EDUCATION

**Mr. Arthur Potts:** Thank you very much for the recognition. That was a great prologue, Speaker. I wonder if I could have a long prologue after my little petition.

I have a short petition here.

"To the Legislative Assembly of Ontario:

"Whereas section 23 of the Canadian Charter of Rights and Freedoms guarantees access to publicly funded French-language education; and

"Whereas there are more than 1,000 children attending French elementary schools in east Toronto ... and those numbers continue to grow; and

"Whereas there is no French secondary school ... in east Toronto, requiring students wishing to continue their studies in French school boards to travel two hours every day to attend the closest French secondary school, while several English schools in east Toronto sit half-empty since there are no requirements or incentives for school boards to release underutilized schools to other boards; and

"Whereas it is well documented that children leave the French-language system for the English-language system between grades 8 and 9 due to the inaccessibility of French-language secondary schools;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Minister of Education assist French school boards in locating an underutilized school building in east Toronto that may be sold or shared for the purpose of opening a French secondary school in the community, so that French students have a secondary school close to where they live."

Thank you, Mr. Speaker. I agree with this petition and I'll leave it with—

**The Deputy Speaker (Mr. Bas Balkissoon):** Thank you.

#### REALTORS

**Mrs. Julia Munro:** I'm pleased to be able to present a petition to the Legislative Assembly of Ontario.

"Whereas Ontario real estate salespeople are prevented by the Real Estate and Business Brokers Act, 2002 from incorporating their businesses through a personal real estate corporation; and

"Whereas other regulated professions, including chartered accountants, lawyers, health professionals, social workers, mortgage brokers, insurance agents, architects and engineers, can all form personal corporations; and

"Whereas permitting real estate salespeople to incorporate would create jobs and increase government revenue;

"We, the undersigned, petition the Legislative Assembly of Ontario to pass the Tax Fairness for Realtors Act, 2015 and give real estate professionals in Ontario the ability to form personal real estate corporations."

I've affixed my signature to it.

## PRIVATIZATION OF PUBLIC ASSETS

**Ms. Teresa J. Armstrong:** To the Legislative Assembly of Ontario:

"Privatizing Hydro One: Another Wrong Choice.

"Whereas once you privatize hydro, there's no return; and

"We'll lose billions in reliable annual revenues for schools and hospitals; and

"We'll lose our biggest economic asset and control over our energy future; and

"We'll pay higher and higher hydro bills just like what's happened elsewhere;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To stop the sale of Hydro One and make sure Ontario families benefit from owning Hydro One now and for generations to come."

I sign this petition and give it to page Anna to deliver.

## PHYSICIAN-ASSISTED DEATH

**Ms. Sophie Kiwala:** It's my pleasure to rise in the House today to present a petition from my community of Kingston and the Islands.

"Whereas the Supreme Court of Canada has declared the laws prohibiting physician-assisted death to be invalid; and

"Whereas such prohibition violates the Charter rights of a competent adult suffering intolerably as a result of a grievous and irremediable medical condition; and

"Whereas all citizens of Ontario have the right to life, liberty and security of the person; and

"Whereas these rights need to be reconciled in any legislative and regulatory response to this judgment; and

"Whereas physician-assisted dying is an extension of health care services which are the subject of valid provincial legislation;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Enact legislation permitting physician-assisted death for a competent adult who clearly consents to the termination of his or her life and has a grievous and irremediable medical condition that causes enduring suffering that is intolerable to the individual and that the legislative scheme protects those physicians who choose to provide this intervention to their patients."

I sign the petition and hand it to Jaleelah.

## CURRICULUM

**Mr. Ted Arnott:** I have a petition that was dropped off for me at my constituency office a few days ago. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas in 2010 the Ontario Liberal government promised to consult with voters before implementing a revised sex education curriculum which many parents felt was age-inappropriate and too explicit; and

"Whereas since 2010 the Ontario public has not been given adequate opportunity to provide feedback on proposed sex education changes; and

"Whereas in late October 2014 the Ontario Liberal government announced that more revisions to the sex education curriculum would be implemented in time for the next school year; and

"Whereas the announced plans to consult only one hand-picked parent per school does not constitute broad public feedback on the curriculum, and therefore, the Ontario Liberal government is breaking its 2010 promise to consult the people of Ontario;

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"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Repeal the sex education component of the health and physical education curriculum planned for September 2015 and start over with a meaningful parental consultation process that actually gets buy-in from parents...."

## MENTAL HEALTH AND ADDICTION SERVICES

**Ms. Cindy Forster:** "Whereas mental illness affects people of all ages, educational and income levels, and cultures; and

"Whereas one in five Canadians will experience a mental illness in their lifetime and only one third of those who need mental health services in Canada actually receive them; and

"Whereas mental illness is the second leading cause of human disability and premature death in Canada; and

"Whereas the cost of mental health and addictions to the Ontario economy is \$34 billion; and

"Whereas the Select Committee on Mental Health and Addictions made 22 recommendations in their final report; and

"Whereas the Improving Mental Health and Addictions Services in Ontario Act, 2015, seeks to implement all 22 of these recommendations;

"We, the undersigned, petition the Legislative Assembly of Ontario to pass the Improving Mental Health and Addictions Services in Ontario Act, 2015, which:

"(1) Brings all mental health services in the province under one ministry, the Ministry of Health and Long-Term Care;

"(2) Establishes a single body to design, manage and coordinate all mental health and addictions systems throughout the province;

"(3) Ensures that programs and services are delivered consistently and comprehensively across Ontario;

"(4) Grants the Ombudsman full powers to audit or investigate providers of mental health and addictions services in Ontario."

I support this petition and I'll send it with page Gabriel.



**PRIVATE MEMBERS'  
PUBLIC BUSINESS**

**PROVINCIAL ADVOCATE  
FOR CHILDREN AND YOUTH  
AMENDMENT ACT, 2015**

**LOI DE 2015 MODIFIANT LA LOI  
SUR L'INTERVENANT PROVINCIAL  
EN FAVEUR DES ENFANTS  
ET DES JEUNES**

Miss Taylor moved second reading of the following bill:

Bill 117, An Act to amend the Provincial Advocate for Children and Youth Act, 2007 with respect to notices of critical injury or death / *Projet de loi 117, Loi modifiant la Loi de 2007 sur l'intervenant provincial en faveur des enfants et des jeunes en ce qui concerne les avis de décès ou de blessures graves.*

**The Deputy Speaker (Mr. Bas Balkissoon):** Pursuant to standing order 98, the member has 12 minutes for her presentation.

**Miss Monique Taylor:** I'd first like to acknowledge the provincial child advocate, Irwin Elman. Unfortunately, he's not able to be with us today, as he's chairing the Canadian council of child advocates, but there are members from the advocate's office here today because this bill is for them. Thank you for being here.

As the NDP critic for children and youth services, it's my privilege to introduce this bill, the Provincial Advocate for Children and Youth Amendment Act, 2015. It's a privilege because, as I've said before in this House many times, the Ministry of Children and Youth Services has a special responsibility to look out for the best interests of the most vulnerable kids in our province. It's a branch of government that holds a fragile position of trust with thousands of children and their families who require the support of the government when dealing with difficult and trying times. All you have to do is put yourself in a child's or their family's shoes to know why this is incredibly important and incredibly important that we get it right.

The idea behind this bill is a simple one and a just one. The bill addresses an oversight in the legislation to protect the province's children and youth in care, which will improve the ways that the advocate can do their job. This bill would obligate all agencies and service providers in the province to inform the Provincial Advocate for Children and Youth promptly if they become aware of the death or critical injury of a child or youth where a children's aid society has been involved with the child or youth, or with that child's or youth's family, within 12 months of the death or critical injury. So I urge all members and all parties of this House to please vote for this bill today. As he is an officer of the Legislature whose role it is to serve as an independent voice for all children who receive or need services from the children's service sector in the province, many might assume that

the advocate already has this role. In fact, the advocate has been asking for access to this information since shortly after being appointed to his role in 2008.

It wasn't long after his appointment that we would learn of the tragic death of five-year-old Katelynn Sampson, whose lifeless body was discovered in Toronto, having been repeatedly beaten and eventually killed by her so-called caregivers. Katelynn's short life has been defined by abuse, dysfunction and interactions with the CAS. The judge in the trial of Katelynn's abusers, or killers, would say this during sentencing: "Alarm bells were ringing and no one was responding. If someone had, we would not be here in this courtroom." A coroner's inquest into her death would make a number of recommendations.

No one is saying that this information in the hands of the advocate will produce miracles, but it seems to me that, like in the circumstances of Katelynn's life that led to her death, and the too many children out there like Katelynn, they deserve to have all hands on deck: access to even more help, even more resources, even more advocates, not less. If a child dies or is critically injured while in care, it is imperative for the advocate to be notified promptly and given the same information as the government so that the advocate may independently determine how best to protect the rights of the province's kids in care so that injuries or death may never happen again.

As it stands, the government has the right to decide when and how much information should be given to the advocate concerning the children under his mandate. I know that the advocate has had to repeatedly make the case over the years to receive reports of the deaths of children in care. In the advocate's 2007-08 annual report, this is a quote: "As noted elsewhere in this report, getting the information related to each incident is not easy. In many cases, it seems almost impossible."

In the advocate's 2010-11 report, this is a quote: "Since 2008, the advocate's office has sought increased transparency and information ... from the coroner's office about the deaths of children connected to the province's care system."

In the advocate's 2011-12 report, this is a quote: "The provincial advocate continues to face roadblocks in accessing information about children and youth in our mandate who have died, and the results of the investigations into allegations of abuse against young people in the youth justice system. As a result, the office is limited in its ability to perform its duty as an advocate for children and youth."

I'm going to repeat that last line: "limited in its ability to perform its duty as an advocate for children and youth." Please let that sink in: "limited in its ability to perform its duty as an advocate for children and youth."

Why should it come to this? Why do we have to be going through this process? Isn't it in everyone's interest for the provincial advocate not to be limited in his role as an advocate for our children and youth, the absolute role that he serves?

From the advocate's 2013-14 report: "Recently, a Toronto newspaper reported that a child who had been found dead in a car along with two other family members was a recently adopted foster child. The Office of the Chief Coroner and the placing children's aid society both declined to provide the advocate's office with a briefing about the death or the status of the investigation. As a result, we have as much information about the death of a child in our mandate as an ordinary member of the public—and far less information than media reporters assigned to cover this tragic death."

After repeated calls for more information, the advocate now gets child death reports from the coroner's office once a month. But what the advocate gets is heavily redacted information that can leave out the child's age, gender or even the date of his or her death. How the advocate is expected to act on this information is absolutely anyone's guess.

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Incredibly, the Provincial Advocate for Children and Youth, an officer of this Legislature, has resorted to monitoring press clippings and, when there is a press report of a death or critical injury, following up with the agency and the family of the child. Hopefully, with fingers crossed he'll get the information in order to advocate on behalf of that child, their loved ones, and all of the province's kids in care who may find themselves in similar preventable circumstances somewhere else down the line. It's not right, Speaker. As the advocate put it when discussing amendments he was seeking to Bill 8, which I'll come back to in a minute, "How can I not be privy to that information?"

In fact, other Canadian jurisdictions that have a children's advocate receive this information and are automatically notified. BC, for example, and other children's advocates in this country undertake investigations into deaths or serious injuries of children within their mandates, and can even compel government agencies to produce information.

Other independent officers of this Legislature have the power to compel information as well, but not the children's advocate. All of our other advocates get this power except our precious children's advocate.

It's true that the provincial advocate act was recently amended through Bill 8 to provide new investigative powers to the provincial advocate's office to investigate issues of kids in residential care, but these powers are to be siloed, separate from the advocacy role in the advocate's office. He's given powers, but the two parts of the office cannot speak to each other regarding the same case. Even if these new powers were ideal—and they're not—the advocate's office can only undertake an investigation after all other agencies are done: the coroner's office and the Child and Family Services Review Board have undertaken their investigation and their process is complete. Then, possibly, the advocate will get the information.

What the advocate has been seeking since 2008, and I'd like to correct through this legislation, is to receive

notification of the death of children already within his mandate in a timely way so that he may advocate for the living. It would be a shame if his office had to investigate, with everything that entails, each death they learn of, when speaking to agencies, the authorities and families in a timely way may be all that's needed to advocate for the province's kids in care. The advocate is simply asking not to be cut off from one aspect. Some would argue that the most important aspect of his mandate is to deal with children's deaths or injuries.

What do we do to prevent violent, awful, preventable deaths in this province of our most vulnerable children? Each of us should be deeply troubled that any child connected to care dies in Ontario. It's an outrageous number and completely unacceptable. Of course, we don't know for sure because, as the advocate suggests, there is no requirement that child deaths or other serious occurrences are reported to the one person in the province whose job it is to make sure that those children are not forgotten.

Sadly, we know it's not an isolated problem. The children's advocate in Newfoundland had to learn of 20 of 26 deaths of children in care since 2009 through the media, the same way the Ontario advocate learns of them. Again, this is outrageous.

Speaker, this isn't only needed when a child dies but in cases where there have been serious or critical injuries as well. Incredibly, although serious incidents that result in injuries have to be reported by residential care facilities and agencies providing child protection services, I've learned recently through freedom-of-information requests that the details of an estimated 20,000 serious incident reports are not tracked by this province. This is absolutely unacceptable, more so when we have an independent officer of the Legislature, mandated to advocate for children in care, imploring year after year this government and the members of this House to allow him to undertake this incredibly important work.

This bill, Speaker, simply is—like I said—a request of the advocate to make sure that he can do the best job that he can for the children of our province. I look forward to the rest of the debate.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate?

**Mrs. Kathryn McGarry:** I'll be sharing my time with the member from Newmarket–Aurora this afternoon.

First off, I'd like to commend the member from Hamilton Mountain for bringing this important issue forward. I think all of us in the province, all of us in this House, agree that there's nothing more important than protecting the most vulnerable small people in this province, and I commend her.

As a matter of fact, as a brand new nurse at the Hospital for Sick Children way back when, the first patient I admitted was a victim of horrific child abuse. I was launched, as a very young person, into that whole world of knowing when a child has been neglected and



how to go about the reporting mechanism. Indeed, throughout my career not only at Sick Kids but as an emergency room nurse, I often had to witness horrific child abuse cases. So this is very near and dear to my heart, not only as a parent but also as a nurse and as an advocate for small people in this community.

As a matter of fact, I was also a witness of the crown through one of these cases in court. I saw it from all sides, I'd have to say. So, again, thank you very much for bringing forward this issue to debate in the House.

I'm very proud of being with this government, which is working with community partners every day to really give our kids the best possible start in life. These partners also include the 47 children's aid societies that we have throughout the province, who provide vital services, again to some of the most vulnerable patients throughout our province.

I also know that you know that we have been stepping forward on this. In fact, it was our government that established the Office of the Provincial Advocate for Children and Youth in 2007. We also extended the provincial advocate's powers last year with the passing of the Public Sector and MPP Accountability and Transparency Act, powers that the NDP actually voted against. The provincial advocate can now initiate and conduct investigations into matters relating to children and in the child welfare system.

As I mentioned, the Ministry of Children and Youth Services has been providing the provincial advocate redacted copies of child fatality case summary reports and serious occurrence reports regarding the deaths of children who were involved with the CAS at the time of death or over the preceding 12 months. Since January 2012, this has happened on a monthly basis. The information is redacted in order to protect the confidentiality of children and families, which is also important in these cases.

The information is provided to the provincial advocate under an information-sharing protocol that sets out our government's obligations to provide summary documents to the provincial advocate not only on a monthly basis but also in response to requests, within 10 days whenever possible. Given the subject matter, these protocols call for the utmost sensitivity and clarity.

The amendments proposed by the member from Hamilton Mountain are written in broad and vague language that I fear may have unintended consequences and that are in some cases redundant. Where the member refers to "agency and service provider," this could potentially include child care providers in school settings and create an additional reporting responsibility for them to advise the Provincial Advocate for Children and Youth's office.

Where the member refers to "informing the advocate," I'd like to know whether the reporting is directly to the advocate himself—the individual—or his office. I think this requires some clarification, and if the reporting is to the office generally, the Provincial Advocate for Children and Youth's office would need some reporting structure to be able to receive the information.

How should we interpret the member's reference to "inform the advocate promptly"? I know that the Ministry of Children and Youth Services currently shares redacted information on a monthly basis with the Provincial Advocate for Children and Youth's office. Would this amendment increase the frequency of that information-sharing?

How does the member define becoming aware? I'm concerned that this may imply hearsay, compelling the person or agency to report to the provincial advocate's office.

Finally, doesn't the word "involve"—and I again quote—encompass any previous involvement? What if the children's aid society had simply conducted, let's say, a mental health counselling session a year ago?

**1350**

As I said, I wanted to reiterate the fact that the provincial advocate has been receiving redacted copies of the child fatality case summary reports and serious occurrence reports regarding the deaths of children who are involved with the CAS at the time of death or over the preceding 12 months, and that that has been happening on a monthly basis since January 2012. Protecting the confidentiality of these families is key, Speaker.

We've developed this particular protocol partnership in collaboration with the provincial advocate. When we do provide documents, our government goes to great lengths to ensure that we are complying with the Freedom of Information and Protection of Privacy Act, the Youth Criminal Justice Act and the Child and Family Services Act. The privacy implications are something that we take very seriously, and they are reflected nowhere in this in this bill.

Yet, in saying that, Speaker, although I have concerns, I'm generally supportive and would like to see this moved forward so we can discuss some of these things more thoroughly in committee.

Again, I wanted to commend the member from Hamilton Mountain for bringing this important subject forward today.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate?

**Mrs. Julia Munro:** I want to begin by saying that it's my pleasure to rise today to speak to Bill 117, the Provincial Advocate for Children and Youth Amendment Act, 2015.

Children and youth are the future of Ontario, and it is important that we protect them from harm. More so, it is important that we learn from past mistakes in order to make Ontario a safer place for all children, including those who live in care.

The province of Ontario has a duty to ensure the safety and rights of our province's children and youth. We have a responsibility to make sure that all children have the opportunity to live healthy and safe lives. This duty is not just to the youth themselves but to their family, neighbours and loved ones. Independent officers need to have the necessary information when performing an

investigation into the death or injury of a child or youth in our province. It is imperative that a full investigation can be completed so that justice can be found for the victims, and so that their loved ones can begin the healing process.

It is concerning that, under the current framework, the Provincial Advocate for Children and Youth has the same amount of information about the death of a child as any member of the public or even less information than the media assigned to cover the case. The Ontario Association of Children's Aid Societies has argued that the provincial advocate's office should have the same power to obtain information as the Ombudsman's office. It is important that these investigations are performed in a timely manner, so that we can learn how to prevent further incidents from occurring.

However, I do want to express some concerns in regard to the implementation of this bill. We need to ensure that the money spent brings results. We can't simply build a larger bureaucracy. We need to make sure that there are measurable results that make life safer for kids and youth here in Ontario.

We need to get this right. There are countless examples of well-intended programs that this government has rolled out only to see them implemented poorly. Things like Ornge, eHealth and SAMS come to mind.

I think that when we look at conversations with individual families and foster families and people who have been involved in the process of fostering and then having the children adopted, there's part of that process, as well, that we have to be careful of. How much is too much red tape? How much is prudent discovery? The member opposite made reference to privacy issues. There is a whole host of things that have to be measured in terms of their outcome and their success.

I had a phone call a couple of years ago from a student who was fearful of no longer being eligible to be a foster child. He was very anxious about the success that this placement had had for him and the fear that he had that the rules didn't allow for him to stay. So there is a great deal of areas of concern in making sure that we do have measurable results that will make Ontario a leader in these areas.

We know the names of children like Jeffrey Baldwin for all the wrong reasons. Jeffrey fell through the cracks of our system, and children like him deserve our protection. At the very least, other kids deserve to have us learn from past mistakes so we can protect the next generation of children and youth. I am pleased to express my support for this bill.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate?

**Ms. Cindy Forster:** It's an honour to rise and speak to my colleague from Hamilton Mountain's Bill 117, An Act to amend the Provincial Advocate for Children and Youth Act, 2007 with respect to notices of critical injury or death.

Having heard and read stories of horrific deaths or injuries, including one death in my own riding this past

summer in Welland, this bill could not come sooner. In fact, the provincial advocate is on record as thanking Monique Taylor for bringing forward this important bill in an attempt to create a fairer and more honest system.

In July of this past year, a 13-month-old child from Thorold whose name was Kody and whose family is here today in the gallery—his mom is here, and his step-grandpa—was taken to the hospital after a critical injury, and he later died at McMaster Children's Hospital under the care of medical personnel. Unfortunately, this child in care was put into custody, by the courts, with a man who had previously been convicted of physically abusing a child decades before. Members of my community were deeply shocked and saddened to hear the news about Kody's passing, but it identifies that these incidents do occur in every community across this province. The family is certainly here today to support this bill.

We can and we must do better, but still, in the 2015 budget, this government cut \$243 million from the Ministries of Community and Social Services and Children and Youth Services, according to page 230 of the budget—money that well could have been invested to protect kids in this province.

Ontarians are demanding, I believe, more action to protect our kids, because the government has actually failed to protect them by having such lax investigative powers for the advocate. This bill seeks to change that. I hope today that each member of this Legislature will support the member from Hamilton Mountain in one more step to protect our kids.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate?

**Mr. Chris Ballard:** It gives me great pleasure to be able to rise today to talk about Bill 117. I would first start by saying that not only is it my pleasure to speak to the bill, but I'd like to thank the member from Hamilton Mountain for bringing this issue to our attention in this bill.

I am generally in agreement with what it's attempting to do. I do have some concerns, and they are concerns that were iterated by my colleague from Cambridge. I will reiterate those as time goes on.

I would start by saying, Mr. Speaker, as a father and someone who has been involved in his community, that there's no more important protection we can give as a society than to our children and our youth. It's paramount. They are among the most vulnerable people in our communities, and we need to make sure that they are well protected. I know that this House would agree with that fundamental statement that the health, safety and security of Ontario's children and youth are paramount.

1400

That's why our government works with community partners every day: To give our children, the children of Ontario, the best possible start in life. It's been mentioned—and I'll mention it again—that these partners include 47 children's aid societies across Ontario. I've had a number of meetings with many of them about the work that they do and how we can strengthen and support



the work that they do in providing a vital service to, as I said, some of the most vulnerable people in the province.

Our government has already taken steps to strengthen child welfare in the province. Let me give you some examples. It was our government that established the Office of the Provincial Advocate for Children and Youth in 2007. We also extended the provincial advocate's power last year with the passing of the Public Sector and MPP Accountability and Transparency Act. The provincial advocate can now initiate and conduct investigations into matters relating to children and the child welfare system.

The House should know that we're working closely with the advocate's office to further build capacity. We're working closely together to keep children safe.

The bill before us addresses tragic instances of death or critical injury of children or youth involved with the children's aid society at the time of death or in the past 12 months. More specifically, it concerns the protocols for information-sharing whenever these horrible events take place. Given the subject matter, these protocols call for the utmost in sensitivity and clarity.

I have some concerns with Bill 117, although I certainly laud its overall attempt to ensure the safety of youth and children in Ontario. The amendments proposed, for example, by the member from Hamilton Mountain are written in a way that I'm concerned may have consequences that are unintended and in some cases may be redundant. I can give you a couple of examples: Where the member refers to "agency and service provider," it could potentially include child care providers and school settings and create additional reporting responsibilities for them to advise the Office of the Provincial Advocate for Children and Youth.

Another example: The member refers to informing the advocate and, very simply, I'd like to know whether the reporting is directly to the advocate as an individual or to the office. I can make some assumptions, but I think we need some clarification there.

Another concern I have is that when the potential bill talks about "informing the advocate promptly"—I know that the Ministry of Children and Youth Services currently shares redacted information on a monthly basis with the Office of the Provincial Advocate for Children and Youth. So would this amendment increase the frequency of that information-sharing? I'm not too sure.

Finally, how does the member define "becoming aware"? I'm concerned that this may imply that if we heard it through hearsay, that would compel the person or agency to report to the provincial advocate's office. So if it's simply word of mouth without proof, it may create additional burden.

Mr. Speaker, I can tell you that the Ministry of Children and Youth Services has been providing provincial advocate-redacted copies of child fatality case summary reports and serious occurrence reports regarding the deaths of children who were involved with the CAS at the time of death or in the preceding 12 months. Since January 2012, this has happened on a monthly basis.

I'll stop there, but I just wanted to reiterate that I applaud the member from Hamilton Mountain for bringing forward this issue so we could have some debate. I look forward to some clarification on the issues.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate?

**Mr. Jim McDonnell:** It's a privilege to stand up today on Bill 117, An Act to amend the Provincial Advocate for Children and Youth Act. The bill amends the act of 2007 to include an obligation on agencies and service providers to inform the Provincial Advocate for Children and Youth promptly if they become aware of a death or critical injury of a child or youth and a children's aid society has been involved with the child or youth, or the child's or youth's family, within 12 months of death or critical injury.

I agree with it, and I think it's a housekeeping piece of legislation. It makes sense. You might wonder why this is even required. It should have been included in the first part, but one can only see from this government's history just why the Ombudsman may be looking at this and not looking for the government to put this in place.

The government may have created this position, but, in many ways, in name only. Believe it or not, the advocate is restricted in what he's allowed to review when it comes to children's issues. One would think that he should be allowed to investigate areas where there's been suspected abuse, wrongdoing or the like, but unfortunately that's not the case. There have been many cases.

I had the opportunity to talk to the advocate over the last couple of years. He told me about instances where he has gotten calls from children and parents, but when he has gone to make the inquiry, he has been turned away because the ministry would say that he's not authorized to look into it. To the member from Cambridge who talked about children being our most precious commodity: How would we not be interested in knowing just what the issues are? The Premier talked about being open and transparent; I think we see anything but.

If we look at my bill, that I put forth earlier this year, to allow the children's aid to look after children that are over 16 years of age, one would wonder why that would be required. If they've received attention from the children's aid, it's not a problem. If they haven't, if a parent dies and they turn 16 or become without support, he's out on the street. Again, that's not showing a government that has compassion. The member from Cambridge said that there's nothing more important.

If you look through the investigations—and in my discussions with the advocate he talked about working with this government after the Baldwin inquiry to try to get some of the investigative powers, and being assured that these measures would be put into the bill. But of course when the bill was released, these measures were left out. He came to us, to the opposition, and proposed amendments through us, so it would give him some of the rights and abilities to actually really be able to do his job. Those amendments were all turned down by this government.

We hear about how interested and concerned they are, but without these expanded powers—unfortunately it took the Jeffrey Baldwin inquiry to identify many issues. If one could believe that the children's aid society was outside of his realm of investigation—but that's the case. It was only the death of Jeffrey Baldwin that brought this to light. Those recommendations: Only some of them were actually incorporated in the legislation—and to include them in his powers.

When I was talking to him, I'm not sure what powers he did have. If he can't even investigate the agencies of the government itself, really, what are his abilities? He talked about being handcuffed and frustrated by this government. It's little wonder that he was one of the signatories to a letter to this government of the seven independent officers about the lack of transparency and the lack of ability to investigate what they believed that their jobs were.

Changes in the budget would actually reduce their powers to get at some of these issues. Again, I hear numerous times about a government that wants to be transparent, but their actions are anything but. Why are we seeing the independent officers being forced to go that route, where they actually have to go public with what's going on in the depths of the 2015 budget?

I just heard, again, the member from Newmarket—Orillia—

**Interjection:** Aurora.

1410

**Mr. Jim McDonell:**—Aurora talking. He's backpedalling on the requirements of this bill. These are minor issues.

Surely the Office of the Ombudsman could be informed if somebody suspects or becomes aware of wrongdoing. A private citizen is forced to contact the police if the same thing has happened, but that doesn't get to the root of the problem. We're talking about redacting documents so they can't find out any of the real details. This is an officer of the Legislature. Surely these people are vetted, and we can trust them with the information. If he's really going to have any teeth or any ability to stop what's going on, he needs the ability to look into the mystery and get co-operation from the various ministries. I don't think it's too much to ask; it's just what you should expect in a province like Ontario that really promises and commits to being open and free.

We will be supporting this bill this afternoon, and hopefully we'll see it through speedy action to get it in place. If there are some ambiguities in it, they can certainly be handled through an amendment very easily done. I would anticipate that the government might be putting forth a few amendments if they have some concerns, but we'll wait and see on that one, and see if there is a real interest to put this bill through.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate?

**Ms. Teresa J. Armstrong:** I am proud to rise today to contribute to Bill 117, An Act to amend the Provincial Advocate for Children and Youth Act, 2007 with respect to notices of critical injury or death.

By obligating agencies and service providers to inform the Provincial Advocate for Children and Youth if they become aware of the death or critical injury of a child, we, as legislators, can help improve a system that has failed youth and children in our province. These are children we are talking about. They are innocent; they are vulnerable. We have a responsibility to make sure they're looked after.

Over the years, the Provincial Advocate for Children and Youth has been a strong voice for those most vulnerable in our society. Whether it has been by informing youth and families of their rights and entitlements, voicing concerns of children and youth when they think nobody is listening or ensuring there are proper processes in place that address their concerns, the provincial advocate has done great work. Nonetheless, as my colleagues have pointed out, this office has limited resources and power to investigate or inquire on the death or critical injury of a child.

Why, then, has this government decided to cut over \$200 million from the Ministry of Children and Youth Services? Many of us are parents or grandparents or have nieces and nephews. I can't imagine the pain a family goes through after the passing of a child. As a mother and grandmother myself, I believe that we must do better.

Today and in previous sessions, my NDP colleagues have spoken strongly in favour of the fact that this office needs to have the funds, resources and power to better address the needs of the children and youth of our communities. I want to congratulate the member from Hamilton Mountain for bringing this bill forward. I hope that all members in this House will find it in their hearts to support this bill and come together to pass this bill on second reading.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate?

**Ms. Cheri DiNovo:** First of all, I want to say that Katelynn Sampson was not just a name to people in Parkdale—High Park; she was a member of our community. We know her. She was a student at Parkdale public school. I see her mother, Bernice, probably every other week at various functions in Parkdale.

Just to give you a sense of what we're dealing with here: Bernice, because she was wrestling with her own mental health and addiction issues—and is quite open about it—felt she couldn't look after Katelynn, assumed the system was going to work for her and allowed her daughter to be taken care of by a couple. There was a comment made when this was actually looked at as a crime, which it was. The comment was that more oversight goes into the adoption of a kitten from the humane society than goes into the care of our children, some days, in fostering and the children's aid society. Those are not my words; those are words that came out of the judicial inquiry. Needless to say, the rest is history. The scene that the police found when they went to that apartment was the worst, the officers said, that they had ever, ever seen, and they said they would never forget it.

Right now, outside of Parkdale public school, there is a series of paintings—really, an art installation—dedi-



cated to the memory of Katelynn Sampson. The poor school and her classmates, of course, were also traumatized.

It speaks to a number of derelictions of duty of this government, Mr. Speaker, not just one. It certainly speaks to the lack of clout that the children's advocate has, and that's what the member from Hamilton Mountain is advocating for: simply that the children's advocate have the tools that he needs to be able to do the job to help save the Katelynn Sampsons of this world. That's number one.

Number two: Had there been enough staff at that public school—we used to call those folks social workers. Guess what? There are not enough of them. There is not enough hands-on in our school system. It has been cut to the bone. We don't have what used to be called truancy officers, who could go out and knock on the door to find out why a child hasn't been in school for three months. That's the other piece of information here. Again, that's the neglect of this government. That's the cutbacks. That's what has been put into place.

We're simply asking for a small correction. The member from Hamilton Mountain is asking for a very small correction: simply that the tools be given to the children's advocate to do his job. I can't imagine what objections there would be to that. We have heard some. Any of those objections can be handled with amendments at committee. There's no reason not to vote for the bill—absolutely none—unless they want the current state of affairs to continue.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate.

**M<sup>me</sup> France Gélinas:** I too am happy to add a few words to this debate.

En ce moment, ce que nous avons, c'est un système où, si un enfant meurt ou est blessé sérieusement, l'intervenant provincial en faveur des enfants et des jeunes n'a pas moyen d'être au courant. Il doit feuilleter les journaux pour venir à bout de savoir ce qui s'est passé.

Le projet de loi est très simple. Ça n'arrive pas si souvent que ça, un enfant qui est ou qui a été vu par l'enfance en difficulté et qui meurt ou à des blessures sévères. Tout ce qu'on demande, c'est que, lorsque ça arrive, on prend le téléphone et on laisse l'intervenant provincial en faveur des enfants savoir. C'est tout.

The bill is so simple yet has such a profound and determining opportunity to change things for the better. All that the bill says is that if a child dies or is severely injured and has been in the care of the CAS in the last 12 months, you will pick up the phone and tell the child advocate. It's not something that happens every day, but it does happen way too often.

What will that change? Once the child advocate has an opportunity to see them all, then you can learn from trends. You can see what has happened. You can see if there are patterns that develop, and then we can learn from this. We can be proactive and save other children from death and serious injury.

It's as simple as that, Speaker. When I hear people standing up and saying that it will be a burden on our schools or on our daycares—really, Speaker? How often does a school-age child die while he or she is in care? We are talking about a handful a year. Don't get me wrong, Speaker: A handful is way, way too many; there should be zero. But when it does happen, it is not an undue hardship to pick up the phone, phone the child advocate and say, “A child in my school has just died.”

To me, these are those moments when a small change in regulation gives each and every one of us MPPs the opportunity to stand tall, stand proud and say, “We did this. Together, we corrected this piece of legislation. We added that little piece that will make sure children will be protected, that we will learn from those horrible cases that we've talked about, from Katelynn and Kody's death. We will learn from this so that we can protect children.”

1420

We're all politicians. If I was to ask you, “Would you like to protect children?”, how many of you will go into the “no” list—“No, we don't”? Of course not; we want to protect children. This is the human thing to do, and this afternoon we have an opportunity to do this. We all know that it happens in Ontario, and it will continue to happen. Children will continue to die or be severely injured.

We have this opportunity, this great privilege as politicians, to change things for the better. I, for one, will be voting in favour of this bill because it makes me feel that it's all worth it, that being elected so that I can make my province a better place—well, this is this opportunity right here, right now, this afternoon. I'm not going to let it go by, and I hope none of you let that opportunity go by either.

**The Deputy Speaker (Mr. Bas Balkissoon):** I thank everyone for their comments. I now return to the member for Hamilton Mountain. You have two minutes for your reply.

**Miss Monique Taylor:** Thank you so much, Speaker, and thank you to all of the speakers who have put their time and thoughts into the bill that I've presented today, who have brought forward questions and comments and concerns because that's what committee's for. That is why we go through this process of second reading so that everybody can have their say about what's in this very small, little, one-sentence, small paragraph of a bill. This small paragraph is going to make a huge difference in the lives of children in our province. It could save one, two; it could save 10 children. It could prevent child deaths from happening, critical injury from happening.

As the member from Nickel Belt put it so eloquently, that is our duty. That is why we come here. This is why we get elected in the province of Ontario and why we stand so proud in our communities. It is because we're sticking up for families, because we're sticking up for our neighbours and we want to make sure that our neighbours' kids come home safe, and if they're put into the Ontario system, whether it be in child protection or whether it be in custody, whatever it may be, that

everybody in this Legislature put their best foot forward to make sure that our advocates, that our officers of this Legislature have the tools to do the job that they need to do.

This is a small piece from the child advocate that you so proudly talk about, that it was your government that implemented this child advocate, and thank you for that. I'm sure many parents and families and children across this province will continue to thank you for giving us the child advocate because they are doing fantastic work.

But we know that when our child advocate, who we know and trust, comes to us and says, "We need this piece to do the job we need to do," and they've been asking for this since 2008, it's time to get the job done and pass this bill forward. Thank you very much, Speaker.

**The Deputy Speaker (Mr. Bas Balkissoon):** Thank you. We will take the vote on this item at the end of private members' public business.

#### GREAT LAKES SHORELINE RIGHT OF PASSAGE ACT, 2015

#### LOI DE 2015 SUR LE DROIT DE PASSAGE SUR LE LITTORAL DES GRANDS LACS

Mr. Gates moved second reading of the following bill:

Bill 118, An Act to create a right of passage along the shoreline of the Great Lakes / Projet de loi 118, Loi créant un droit de passage le long du littoral des Grands Lacs.

**The Deputy Speaker (Mr. Bas Balkissoon):** Mr. Gates has moved second reading of Bill 118, An Act to create a right of passage along the shoreline of the Great Lakes. Pursuant to standing order 98, the member has 12 minutes for his presentation.

**Mr. Wayne Gates:** Thank you, Mr. Speaker. I'm extremely proud to rise today to bring forward Bill 118, the Great Lakes Shoreline Right of Passage Act, and ask this House for your support of the bill.

This is not the first time this bill has been before the House, although it is the first time I will bring it forward. I cannot introduce this bill without recognizing the hard work of my friend and your former colleague Mr. Kim Craiton, who brought this bill forward multiple times. Each time, he did receive all-party support, and yet somehow it never made its way past second reading. It's strange how that happened.

I'd also like to thank Garry Skerrett and his family for being here today to watch as this bill is debated. Garry is the founder of the Shorewalk association, which has done a huge amount of work in bringing this issue forward.

Mr. Speaker, Canada is blessed with the largest reserves of fresh water on the planet. Our Great Lakes are one of the best examples of the beautiful natural landscapes that people around the world think about when they think of Canada and Ontario. Alongside our incredible Arctic, the mountains of BC, the Prairies, historic Quebec and the shores of the east coast, Ontario proudly

contains the Great Lakes. For hundreds of years, the Great Lakes have provided transportation, trade and commerce that have built this great country and province. From the early explorers to today's shipping industry, the Great Lakes have been a part of this country's history.

Every summer, people, including probably those who are in the House today, flock to the beautiful beach lines of the shores of our Great Lakes. They flock to those beaches for a little peace and quiet, as a place to escape the everyday stresses that we are under. Mr. Speaker, as many of my colleagues here know, these beaches are absolutely beautiful. Some are more of a distance to get to; some of them are only minutes away from our biggest cities. For whatever different reason, they have tens of thousands of people from this province enjoying the Great Lakes every year. But it seems that on certain occasions there can be issues when it comes to using these beaches. Just walking along these beaches can be an issue. The issue that comes up is about whether or not the people of this great province have the right to walk along the shoreline of the Great Lakes. That is why I'm bringing this piece of legislation forward again.

Around the world, including as near to us as Michigan, the people have the right to access the shorelines, the lakes, the oceans and the rivers. Whether the property that fronts on a beach is a five-star resort or the mansion of a world-famous celebrity, like we've had in Toronto all week, there are questions about who has the right to walk on that beach. In most of the world, that question's answer is quite simple—everyone does—but not here, at home, in Ontario.

Mr. Speaker, I think at face value most people see the Great Lakes as belonging to all Canadians. They're as much a part of the fabric of this country as the maple leaf on our flag. They're a symbol of Canada and a symbol of Ontario. I think most people here would agree that these natural resources belong to every one of us and it's a right of being a citizen of this great country. I also believe that when asked, most people would believe that we have the right to at least enjoy the beaches at the shores of these Great Lakes. Yet in Ontario that is often not the case.

While there's no law that prohibits people from walking along the beaches, there's also nothing to prevent the private property owners from building fences right down to the water to stop others from walking along the shoreline. In cases where this happens, our Great Lakes shores are being covered with fencing, and people are being barred from crossing the sand.

1430

Right now, there's really no law either way on this subject, and it's leading to a lot of confusion. The confusion is leading to frustration, and that's leading to conflict. I believe I am offering a way to settle that conflict.

Mr. Speaker, the bill I am presenting today will stop this practice and clarify the law around the passage of the Great Lakes shores. The Great Lakes Shoreline Right of Passage Act, if passed, would allow, once and for all,



walking rights along the shoreline of the Great Lakes and would forbid the creation of fences or signs that try to impede that right.

Let me clarify this right now. This does not mean—this does not mean—that the land owned on the shoreline is being taken by the province. It does not give the walkers ownership of this beachfront property. In fact, it doesn't even mean you can stop on someone else's property, set up a tent, or stay for a while—very simple. This bill means you'll be able to walk along the shorelines of the Great Lakes—not stop, but simply have the right to pass along the shoreline of the Great Lakes.

In fact, this bill actually clarifies some of the liability issues that weren't previously outlined, protecting landowners as well as shore-walkers.

In some places, this issue has already been resolved. Take the great city of Hamilton. We have a number of members here, MPPs, from Hamilton. Yes, give them a clap. I think that's good.

*Applause.*

**Mr. Wayne Gates:** Some 20 years ago, the shoreline in Hamilton was all industry, but since that time, they had the courage and the foresight to build not one but two waterfront trails that are accessible to everyone: the Hamilton Waterfront Trail and the Hamilton Beach Trail. What happened from that? Those trails have become a tremendous success for that city. They have helped transform the waterfront from an industrial area to a place where thousands and thousands of people can come and go for a walk. The economic benefit from that has been outstanding. The growth around the trails is something I think we would all like to see in our own community, and that's a good thing.

When more of the people in our communities are able to simply get up and go for a walk, it benefits us all. It benefits seniors, who can get exercise walking along the shores of our Great Lakes. It benefits our children, who can learn to enjoy the fresh air. That means that people will live longer, healthier lives, and whole communities will benefit.

Mr. Speaker, the public used to have the right in this province. Ontario had an act, a water act, defining each Great Lake's limits as a high-water mark, meaning that everything below was public land and publicly accessible, but that was changed in 1951. At a stroke of a pen, the province eliminated the public access to the land between the water's edge and the high-water mark by changing the act's jurisdiction to the water's edge. Just like that, you could no longer go for a walk on the beach.

The confrontation between the private property owners and the public began almost immediately and continues to this day, in places like Balm Beach in Tiny township and Fort Erie in my riding of Niagara Falls.

To address this, the Niagara Regional Development Council commissioned Professor John Jackson of Brock University in 1967 to look at this issue. Professor Jackson was asked to research Niagara's Lake Erie shores, with an emphasis on recreational land use. On page 226 of this report, he states: "In conclusion, we re-

emphasize our three most important recommendations: Lake Erie must be clean; its clean beaches must be available for recreational use by the more intensive public practice of the future; and the provision of recreational facilities must be viewed as an integral part of the regional development process."

We're talking about economic development. At the heart of this bill, it's just that: making sure that the public has full access to our beaches for recreational walking uses, and recognizing that the access is an integral part of making our province a better place to live.

I recently had the opportunity to visit Bernard Beach in Fort Erie, just as Professor Jackson did in 1960. I'm happy to report that it remains a beautiful sand beach with clean water. It's one thing that makes my riding so amazing. You have incredible communities and all the nice things you find in a big city, but surrounded by incredible landscape.

Unfortunately, I have to also report the comments from the beachgoers who approached me at the same time—of what they heard years ago. They asked me why they are confined to a 20-metre strip of beach. They asked me when the fences and the signs are coming down. Quite frankly, I had no answer for them.

I'm not going to be able to get through my full speech, but I want to say to everybody listening—in particular, to my Liberal colleagues, my NDP colleagues and the Conservatives—that the part of the road access to a beach was as wide as here. Thousands of people have to stay on that piece. It's 90 degrees out and they can't even go for a walk down the beach and put their feet in the sand. Does that make sense to anybody in the province of Ontario? That's what's being faced in communities right across the province of Ontario.

This bill will change that. I'm asking you today to support it. Thank you very much for giving me a few minutes of your time.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate?

**Hon. James J. Bradley:** I want to commend the member for taking up the bill that Kim Craitor, a former member of the House, used to introduce from time to time in the Legislature, carrying on this particular initiative, which is designed to allow public access to the wonderful areas that we have, particularly the beach areas along Lake Ontario and Lake Erie—where we are—and indeed, the other Great Lakes and other waterways. He will know that there will be some significant arguments that will be put forward against it from those who are believers that private property rights should trump everything else. Nevertheless, that does not mean that this should not be brought forward and given very serious consideration.

We used to have various authorities which would help to ensure that these shorelines were protected; for instance, conservation authorities we think of as being naturally in favour of the protection of land for public purposes. He resides in the Niagara Peninsula—the member does. He would hope that the Niagara Peninsula

Conservation Authority, first and foremost, would have in its mandate the protection of public property in the area. Unfortunately, it's my understanding that there have been a number of environmentally expert scientists who have been let go by the Niagara Peninsula Conservation Authority, and others have been hired in their place. So we have some concerns that those who naturally would be advocating for the protection of these shorelines may not be as vociferous as they otherwise might be. But it is significant. I think we recognize, and the member said in his remarks, we're not trying to "do in" those who own the property along there; we're trying to make sure that people have public access to it.

There will be some who will say, "Look, for security purposes, I don't want people going along the front of my property." There will be others who say, "It's my right to have the property for my particular use and not for public use." There may be some litigation. There will be others who will make the argument, "Well, this is expropriation without compensation." I think you have to give those ideas some consideration, and there will be, as this matter goes to committee, if it indeed passes second reading. But I don't think that should stop us in this House from proceeding with this particular bill, to ensure that there is public access to those things that we consider to be a public good for all people.

We have to be careful as well when we allow new development taking place along these shorelines that they don't exclude people, the general public, from being part of it. I know in Port Dalhousie in St. Catharines there's a development that's now being proposed very close to the waterway, and I think people in our area are saying that there are some archaeologically significant items there, such as old canal locks, that we would want to ensure are protected along the shoreline. Again, in keeping with the member's thrust, they are the public trust. There are people who want to see that.

1440

You've heard me in the House from time to time use the term "more nerve than a canal horse." Well, that's because the canal horse used to have to go very close to the edge of the canal and pull the ship along—they weren't the large ships you see today—and that was a very dangerous job. It took a lot of nerve for those canal horses to pull the ships along. That's the significance of that particular interjection or suggestion I would make in formal debate about canal horses and the nerve of canal horses.

I hope this matter can be resolved. The member has given some history to it, and that history is significant. He has talked about what it used to be like, how that got changed. It's a dynamic situation, which means it can be subject to further change. He's not suggesting that it not be done without significant consultation, and I think that is important.

Nevertheless, I will certainly be supporting this bill at second reading. I think it's worthy of consideration by this House. It's an ongoing act of argument that takes place. We will not dismiss anyone who makes counter-

arguments, because there are counter-arguments to be made. Ultimately, this Legislature will decide on the final disposition of this bill, and a resolution of many of the challenges that we face in this regard.

Let's proceed with the bill. Let's get it to committee, and let's have representations made by many. Ultimately, it would be my personal hope that the bill would see final reading. We know how challenging that is with private members' public business. Most of those bills do not go beyond second reading, or perhaps into committee. At the end of a session, the House leaders get together and make a determination as to which bills shall proceed. Some would call that horse trading—probably not necessarily what I would call it, but it is what happens at the end of a session.

I want to thank the member for bringing this forward, and hope that we receive a very good debate today—a thorough debate; people expressing all views on this issue.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate?

**Mrs. Julia Munro:** I'm pleased to rise today to speak to Bill 118, An Act to create a right of passage along the shoreline of the Great Lakes.

While this bill specifically aims to address concerns along the St. Lawrence River Basin and the Great Lakes, the principles outlined do, in fact, have much broader consequences. The passage of this bill would open the door to broadening its mandate to include all waterfront properties in Ontario.

As we've heard, over the last few years this bill, in various forms, has been presented by members of both the Liberal and the NDP parties, and they have met death by proroguing and things like that, and failed to become law. But in my riding of York-Simcoe, there's an extra-special twist to this particular discussion, and I want to use today as an opportunity to reflect on angles that have perhaps not been considered in the drafting of this piece of legislation.

In my riding of York-Simcoe, residents of Georgina are actually mobilizing to protect their property rights. The municipal government in Georgina is asking indirect lakefront owners to sign encroachment agreements. Residents are worried that this is the first step towards building a walking trail or bike path along their private property, stripping them of their private and exclusive use of their land in the process. Let me explain. In some places, between the road and the water there is maybe 10 feet—in many cases, less than 10 feet. So this creates a very different kind of environment in which to be talking about the high-water mark.

It's also of concern, then, as you might imagine, that with some of these areas very narrow, it is a direct threat to the property that in some cases has been within the family for three generations or more.

When my constituents pay their property taxes, they are taxed on a property value that includes the use of waterfronts. I think this is very important because, similarly, when residents along Lakes Ontario, Huron



and the other Great Lakes pay their property taxes in Ontario, they are taxed on a value that includes the exclusive use of their waterfronts. Not only does this proximity to the waterfront result in an increase in the actual value of the property, but it also affects the assessed value of the property, which of course increases property taxes.

Families in Ontario need to know that the hard work they put in maintaining their properties will not simply be set aside by government. They need to know that the investments of time and money that they have poured into their property will be able to be enjoyed for years to come, and they need to know that their privacy will be respected.

Property owners invest in their properties by building structures such as boats and docks. It's unclear how the property rights of owners will be protected while at the same time allowing public access. Thankfully, the public already has access to the Great Lakes shorelines at beaches and parks such as Woodbine Beach here in Toronto, Point Pelee near Leamington and the Bruce Peninsula park near Tobermory. The people of Ontario are fortunate to have access to public spaces on countless lakes across Ontario, including many parks and beaches on each of the five Great Lakes. I would add also that there are many places along Lake Simcoe where there would be adequate space. But certainly in Georgina there are some significant issues on a notion such as this.

There are many public spaces—boat launching pads giving people access to many more lakes—as well as the many parks and beaches around the Great Lakes. I think the most important thing from our debate today has to be focused on the need to maintain a balanced approach that respects property rights and public access.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate?

**Ms. Cindy Forster:** It's an honour to rise and speak to my colleague Wayne Gates, the member for Niagara Falls's, Bill 118, An Act to create a right of passage—

**The Deputy Speaker (Mr. Bas Balkissoon):** I would just interrupt the member and remind her that we refer to members of the Legislature by title or riding.

**Ms. Cindy Forster:** Thank you, Speaker—along the shoreline of the Great Lakes.

I think that we can all agree that Ontarians from across this province understand the importance of public access to our beaches and our treasured waterfronts, particularly in the Great Lakes. I'm happy to see that the member from Niagara Falls is continuing the fight to take care of this injustice in Ontario.

The minister without portfolio, because I can't use his name, talked briefly about the Niagara Peninsula Conservation Authority in our region. He is correct that because of some new hires, they've moved away, perhaps, from being total conservationists and flipped some beachfront property in the last couple of years that really could have and should have remained in the hands of the region of Niagara for more public access.

Unfortunately, Ontario is coming a little bit late into this game—some 65 years later—when it comes to protecting the shorelines of the Great Lakes. Several US states and Caribbean islands all have public waterways that are to be treasured and enjoyed by their local citizens as well as their tourists.

**1450**

I know that many of you travel to faraway beachfront holidays, whether it's in the US or whether it's on islands. Certainly, I know I've walked the beaches of North Carolina, South Carolina and Florida, where there are \$5-million, \$10-million properties. Not only can you walk in front of those homes, but you can put out your fishing rod; you can build a little campfire. You can do all of those kinds of things. So I think that it's important that we open up this public access, at least to allow people to get some exercise on the beach.

Of course, we have beaches in Port Colborne and Wainfleet, as part of my riding. In February this year, the Ontario Shorewalk Association, who are here today in the gallery, spoke to Mayor Redekop and the Fort Erie council about this important issue. Among their concerns was the restricting of access to the beach.

Many people have cottages on Lake Eerie and Lake Ontario, and there are some of those that don't actually have beachfront. They will have a breakwall, they'll have stone and they don't have access to beach. Are they to be denied? These are people who own cottages that may be worth \$500,000 or \$600,000. Are they to be denied the ability to walk down the beach, when they've made this huge investment in owning a cottage or even a winterized home on our lakes?

I'm going to close because I know other people want to speak to this, but I want to talk about the former member for Welland, the late Peter Kormos, who always believed that the public should have access to the shorelines. I recently ran across an article and a picture of Peter. He was 17 years old at the time. He was participating in a peaceful protest to have public access to Lake Erie. The picture depicted him being dragged away, by either beach patrol or the police, because he was peacefully protesting for the rights of Ontarians.

Over 46 years later, we are still debating this issue of public access. We know where Peter would stand if he was here today. So I say, in the spirit of Peter Kormos and for those fighting across the province on this issue—not only in Niagara—let's pass this bill and let's make sure that all Ontarians have equal access to our waterways.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate?

**Ms. Sophie Kiwala:** I appreciate the interest of the member of Niagara Falls in ensuring Great Lakes shoreline access. I appreciate also his work on Bill 118.

My community of Kingston and the Islands is located within the St. Lawrence River watershed, and I know that the Great Lakes are one of Ontario's greatest assets. They are home to some of the world's most unique ecosystems, and the residents and visitors alike enjoy their

unparalleled beauty and their many recreational opportunities.

While I understand the intention of the member's bill to allow for public access to the shoreline to be enjoyed by all, I have concerns regarding the approach taken in this bill to guarantee that access. There are numerous legal issues pertaining to property rights that must be investigated before proceeding.

One very important consideration is the safety of our citizens. The Great Lakes shoreline, as outlined in the bill, stretches over hundreds of kilometres, with many natural hazards, such as steep cliffs and slippery rocky beaches, that would prevent easy passage. In many areas on the shoreline, it would be impossible to pass unless access was engineered and safety could be prioritized for those passing.

Even if we focus on only the sandy beaches and other accessible shorelines, the proposed right of passage in the bill interferes with the rights of private property owners. We've seen negative reactions, including vandalism, to property owners. If this bill is passed in the current form, we can expect a negative reaction from shoreline property owners and ratepayer associations for a number of reasons, including privacy issues, security issues, potential for illegal trespassing, loss of enjoyment of property and perceived reduction in property values. If the right of passage were created according to the bill's language, surely the landowners would consider this expropriation without compensation.

Complicating this matter further is that there are many privately owned water lots on the Great Lakes. On these lots, even the land under the water is privately owned. With the fluctuation of the Great Lakes over time, the location of the right of passage will also move.

There may even be hunting areas—I know some of the members opposite have participated in hunting—where the hunting area abuts up onto the shoreline, and if somebody is walking through a hunting area, that will pose some safety issues.

I'm a little bit conflicted with this bill. I grew up in Kingston and the Islands. I had access to the water as a child growing up. It was absolutely beautiful. I loved it. The land was sold, and then we didn't have it anymore. So I get both sides of this issue, and I think that based on the many different angles that need to be considered here, it's really important that these legal issues be investigated further as we consider the bill from the member for Niagara Falls. We need more consultation with proponents and property owners to resolve these legal issues that I mentioned to ensure that everyone benefits. Merci beaucoup.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate.

**Mr. Jack MacLaren:** Although Bill 118 is well-intentioned, it would necessarily infringe on a property owner's rights to the peaceful enjoyment of his private property. Although it states in the bill that the act does not constitute "an expropriation or injurious affection for the purposes of the Expropriations Act," the bill clearly

appropriates a private property right, the right to privacy and security, as it allows the public to, in effect, trespass on private property.

This bill also revives a discredited concept: that the crown/public has the right to the land between the high water mark and the water's edge. There is no such right. As reported in issue number 14 of the *Tiny Cottager* in the spring of 1999, in an article titled, "Tiny's shoreline—a Legal History.

"The first major test case of the crown's ownership of shoreline property was decided almost 30 years ago. In 1970 ... Mr. Justice Stark of the Supreme Court of Ontario ... held in the case of *Walker et al v. the Attorney General (Ontario)* that where one of the boundaries of the land granted by a crown patent is to be a boundary of water, then that boundary is at the water's edge unless the grant reserves"—in clear and definite words—"a space between the lands granted and the water boundary. Thus, Walker owned" his property "to the water's edge (Lake Erie) ... in the township of Bertie" near Fort Erie. This decision was affirmed by the Supreme Court of Canada in 1974.

I also note that private property rights extending to the water's edge were affirmed by further rulings, as reported in the *Lawyer's Weekly* on July 2, 1999, in an article titled, "Water Boundaries—Who Owns the Beach?"

"In fact, most southern Ontario properties fronting on large lakes extend to the water's edge by operation of the original crown grants....

"For many decades the Ontario Department of Lands and Forests (and the successor Ministry of Natural Resources), contrary to well-established common law, vigorously promoted the use of 'high water mark' (meaning the landward side of the beach) as the boundary separating patented uplands from lands forming the bed of the adjoining water body.

"On the basis of that notion, the beaches were considered by crown officers to be part of the bed of the adjoining water body and, therefore, unalienated crown lands, except where a water lot had been granted. The concept was raised to the status of legislation as part of an omnibus bill in 1940 (Statute Law Amendment Act, ...) but was found to be unworkable and was repealed in 1951 by the Beds of Navigable Waters Amendment Act...."

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The author of the article explains further, "The courts have been consistent in applying the common-law rule placing the boundaries of inland non-tidal riparian properties at the water's lowest mark. The principle was confirmed by the Supreme Court of Canada in *Attorney General ... v. Walker et al....* There are only two exceptions to the rule:

"(1) if the words of the grant clearly reserve a space between the water and the granted uplands; or

"(2) if the boundaries of the granted uplands are clearly defined by reference to an original plan of survey which is unequivocal in demonstrating an intention on



the part of the crown to retain a space between the water and the granted lands.”

Discussing the case of Ontario versus the Rowntree Beach Association of 1994, the author states, “Similar to Gibbs, all parties to Rowntree agreed that if the lands were granted to the lake, then the boundary of the patented lands was the water’s edge at low water,” and also that Rowntree was not appealed.

In other words, the attempt to expropriate private property between the high-water mark and the water’s edge is not new. It has been adjudicated by Canada’s highest court, whose decision has been accepted by the crown and was previously legislated and repealed as it was deemed unworkable.

In addition, this bill not only infringes on private property rights, it also imposes a duty on private property owners, a duty not imposed on other private property owners, for the high crime of owning beachfront property.

Given the history of this file and the infringement of private property rights, I cannot in good conscience support this bill.

In conclusion, legislators should be defending, not eroding, individual common-law private property rights as they form the foundation of our western developed civilization, our democracy, our freedom and our prosperity.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate. The member for Windsor–Tecumseh.

**Mr. Percy Hatfield:** Thank you, Speaker. You’re right; I do represent Windsor–Tecumseh, and I live on a peninsula that stretches for 100 miles along Lake St. Clair, the Detroit River and Lake Erie.

This issue, Bill 118, was initiated here in the Ontario Legislature nine years ago, but the principle dates back to the year AD 500 and the Roman emperor Justinian. This public trust doctrine was enshrined in Roman civil law. It’s pretty basic, actually. It says, “By the law of nature these things are common to all mankind—the air, running water, the sea, and consequently the shores of the sea. No one, therefore, is forbidden to approach the seashore, provided that he respects habitations, monuments, and the buildings, which are not, like the sea, subject only to the law of nations.”

This principle, established in AD 500, still makes sense to some of us today. When that principle is violated, all hell breaks loose, and we don’t have to go very far to see examples of that, Speaker. You’re no doubt aware of the fence that went up in the prime Georgian Bay waterfront on Balm Beach near Midland about six years ago. It created such a controversy that it made international news. Charges were laid for trespass, vandalism and assault; there were screaming matches, fist fights; BB guns were used; a real bullet was mailed as a warning to the family who put up the fence—all this in Tiny township, about 90 minutes north of where you sit today. Someone took a chainsaw to the fence. Someone lit it on fire not once, but twice. Rocks were thrown against windows, gardens were trashed, neighbours were

spying on each other with binoculars and video cameras; the cops were called hundreds of times, Speaker—hundreds of times. And why? Because of a fence that restricted access to a beachfront that previously had always been open to the public.

The courts got involved, decisions were handed down and appealed, and here’s what happened: The homeowners who erected the fence finally grew tired of the squabbles. They sold their property, and guess what? The first thing the new owners did was—you guessed it, Speaker—they tore down that fence and peace was finally restored. No more laser beams shining in the eyes of the homeowners, no more cops in plainclothes patrolling the beach, no more chainsaws and fires, no more fistfights and no one using BB guns.

As long as you can get to a shoreline from a spot designated for public access, as long as you come with good intentions—not to sunbathe or picnic or trespass on private property, not to be a Peeping Tom or a nuisance but merely to enjoy a walk along the water’s edge and enjoy what nature has to offer—you have a right to walk the shoreline, within limits, between the high-water mark and the water’s edge.

I live next door to the state of Michigan. This issue came to Michigan’s Supreme Court a few years ago. The court, in a unanimous decision, ruled that the public trust doctrine applies to the shores of the Great Lakes, just as it governs America’s coastal waters and shores. Using a definition delivered earlier in a court case in Wisconsin, they defined where the high-water mark was.

There’s no magic solution to all the problems we face in this Legislature, but sometimes I think we just need to use common sense. To me, this is a common-sense issue. If we apply our thoughts to it, no one is going to go scaling the walls, no one is going to go where it’s dangerous, but if you want to go for a leisurely stroll on the beach, you should be able to do that along the Great Lakes—along any lake in Ontario. Thank you for your time, Speaker.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate?

**Ms. Ann Hoggarth:** I think the member from Niagara Falls’ intentions are great. Let me make something perfectly clear: I do not own lakeshore property, but I do know the people in my area, and the case that the member from—

**Mr. Percy Hatfield:** Windsor–Tecumseh.

**Ms. Ann Hoggarth:**—referred to was very prominent in the news in my area, and it was very upsetting. It is lovely that someone moved in and decided they would take the fence down. However, they did not legally have to do that. I believe when people pay millions of dollars on Lake Simcoe and other areas of the Great Lakes—on the shores—you pay a lot of money to have privacy.

There are a lot of legal issues. I believe there may be a way to alter the bill so that everyone could be happy. I do think that eventually that could happen. Perhaps a grandfathering of people who own the shoreline could be done—some own water lots—so that when they sold

their place, the next person knew they had to allow people to walk along the shoreline; some things put in place that way.

I also worry about the fact that if I was going to walk along the shoreline, I would want to take my dog. I'm a good dog owner, but there are people who would let their dog do its business and keep going. Who cleans it up? What happens there? What happens if the dog bites the people when going along on somebody else's property?

I understand what you want to do, and I think what you're trying to do is wonderful. I just think this bill needs to be amended, and perhaps we can accomplish that. It wouldn't happen everywhere at once, but perhaps we can make some amendments so that we do this. When I see the amendments come back, then I will decide whether I'm supporting this bill or not.

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**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate?

**Mr. Michael Mantha:** It's a great honour and privilege to stand on behalf of the great people of Algoma-Manitoulin once again to speak to Bill 118, Great Lakes shoreline right of passage.

It's quite simple. A good idea is a good idea. I've done this many times from where I sit in this House: I've given credit where credit is due. I want to give credit to my colleague the member for Niagara. I also want to give credit to Kim Craiton, the member who was here. I supported it then, and I'm supporting it now.

My friend for Windsor-Tecumseh came up with a very simple word, "common sense." Common sense tells us that this is a good idea. Good ideas should be able to move forward.

I heard the new Leader of the Opposition say in his initial speech that partisanship is going to be put aside, and where good ideas are going to come into the House, they should be pushed forward. We should talk about those and we should bring them ahead. I hope he has a discussion with his caucus and he leads by example because this is one of those opportunities when we can all agree on this idea.

It's not something that we haven't discussed extensively in this House before in the past; we have discussed it a couple of times and we've unanimously supported it. It has reached committee. Let's get it to committee, but once it's at committee—my good friend the minister without portfolio: You as well have expressed very positive comments towards the member for Niagara in regard to why this is a good idea. It's not going to be easy. It's going to take some common sense. We're going to have to roll up our sleeves and really listen to those who are for or against to make sure that everybody in this province has the opportunity to access our shorelines.

Comme député, je voyage souvent—bien, regarde ça, ma femme m'appelle. Bonjour, Pauline. Je vais t'appeler tout de suite après.

Je veux vous laisser savoir que quand je voyage sur la 117 en descendant de Wawa vers Sault Ste. Marie, il y a tellement de beauté que je vois sur le bord des eaux du

lac Supérieur. Je veux partager une journée avec vous. J'étais là avec mon garçon et puis, sans avoir eu accès à la plage, je ne serais pas capable de participer ou d'avoir cette belle petite mémoire. J'étais avec mon enfant. Il y a un ruisseau qui sort au lac Supérieur et comme le ruisseau sort au lac Supérieur, quand l'eau monte ça élargit le ruisseau et il devient un petit peu plus creux.

J'avais deux de mes garçons. Le premier garçon—j'ai pensé à l'idée à cause que c'était relativement large—j'étais capable de le pigner par le fond des culottes et, avec un coup d'élan, le garrocher à travers. Ça fait qu'avec mon plus vieux, qui était plus pesant, ça a bien été. Mais avec mon deuxième, ça n'a pas si bien été et il est tombé dans le milieu du ruisseau, mais c'est une mémoire que je vais tout le temps avoir. Puis, il y a tellement d'autres mémoires qu'ont tellement de gens à travers cette province qui peuvent s'amuser et avoir comme un trésor en participant et en ayant accès à nos plages.

Je vous encouragerais de les emporter au comité pour qu'on puisse au moins avoir des discussions qui vont porter valeur au projet de loi.

**The Deputy Speaker (Mr. Bas Balkissoon):** I thank everybody for their input.

I now return to the mover, the member for Niagara Falls.

**Mr. Wayne Gates:** I'd like to thank everybody for speaking on the bill. I'll start with my good friend from St. Catharines. I can't say his name, but I know he's a Jays fan.

When members of this Legislature rose last time to speak, they put this issue in a simple term. They used the example of sidewalks and asked if you can imagine a homeowner running a fence down their lawn over the sidewalk to the road, saying it was all their property. That was done here when it was debated last time.

I'd like to clarify that this does not represent all the shoreline property owners or even a majority of them. In most cases—and I've seen this in my own riding—people who own the land on the shoreline have been kind and accommodating. They understand the importance of the Great Lakes and the beauty of what they have in front of them.

I know my former colleague Michael Prue spoke on this during his time here. What this refers to are people who build fences all the way down to water. The bill is clear, and I had one of my colleagues ask me this. People cannot stop on the property. They cannot camp out on the property. They cannot bring a motor vehicle on to the property, and if they break the rule or they get hurt, then they are liable themselves. This bill does one simple thing: It allows them to walk along the shoreline. Like I said, I believe this is a very small issue that only truly affects a small number of people.

I want you to listen to this, particularly on that side of the House: I believe that there can be a compromise reached that will make everyone happy, ensure that our Great Lakes remain open for passage and that shoreline owners have what they paid for. I think it's important to



get to committee so we can find a solution to this. The big word here is "compromise."

**The Deputy Speaker (Mr. Bas Balkissoon):** We will take the vote on this item at the end of private members' public business.

ELECTION AMENDMENT ACT  
(MPPS' RECALL), 2015  
LOI DE 2015 MODIFIANT  
LA LOI ÉLECTORALE  
(RÉVOCATION DES DÉPUTÉS)

Mr. Hillier moved second reading of the following bill:

Bill 89, An Act to amend the Election Act with respect to the recall of members of the Legislative Assembly / Projet de loi 89, Loi modifiant la Loi électorale en ce qui concerne la révocation des députés à l'Assemblée législative.

**The Deputy Speaker (Mr. Bas Balkissoon):** Mr. Hillier has moved second reading of Bill 89. Pursuant to standing order 98, the member has 12 minutes for his presentation.

**Mr. Randy Hillier:** It's my pleasure to speak and advocate for Bill 89 today.

We are all here in this Legislative Assembly and all have the authority to enact and create laws of the land based on one very certain fact: We are elected by the people, with the responsibility and duty to represent all people within our electoral district.

What gives legitimacy to our office is that people exercised their judgment and, with a plurality, opted, through marking their ballot, for each of us as their choice. The people's consent is the single factor that creates, determines and defines a legitimate representative democracy.

However, I find it profoundly ironic, even bordering on hypocrisy sometimes, that there are some who, once elected, find the people's judgment lacking and irrelevant. There are members in all parties and in all assemblies who minimize, mitigate or limit these very same people, our constituents, from exercising any further tangible influence on the functioning of their Parliament, or any further direct role in determining or requesting consent for the laws and public policies that we enact in their name. In short, their judgment is often no longer desired or wanted after our election.

It is self-evident that if their judgment and consent are required to make this Parliament legitimate, then their consent and judgment ought to be sought out and encouraged throughout our entire mandate. Bill 89 gives both meaning and effect to this truth. Continued and continuing consent will be required for us and all others to be their elected representatives.

Many people believe that recall is an American concept. However, this would be an incorrect and false assumption. Recall of elected representatives was formalized into law over 160 years ago in Switzerland.

However, I'll come back to the history of recall a little bit later.

First, it's important to examine, explore and illustrate the benefits, the value and, I believe, the necessity of recall to ensure a well-functioning representative democracy. In my eight years as a member of this Legislature, I have witnessed and observed a great many debates, votes, hearings and legislation. Arguably, a substantial number of these policies conveyed a benefit to some people, but often at the expense of or to the detriment of others. In short, there have been many examples where good people have come to a poor decision. Our judgment as a collective is not superior, and it cannot be superior, to the judgement of those who have chosen us.

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As in any business, career or endeavour in life, indeed, any individual or authority is more likely to be successful if there are appropriate checks and balances. Bill 89 is a reasoned and appropriate check and balance on our office in both positive and negative applications. As we saw in BC a few years ago, when the government of the day brought in new tax measures that were not identified in their recent election, the threat of both recall and referendum prevented that illegitimate tax policy from taking root and becoming law.

At the same time as the people in BC were holding their members to account through recall and its first cousin, referendum, the Ontario government brought in a similar tax measure under similar circumstances. However, the outcome was entirely different here in Ontario. People signed petitions by the tens and hundreds of thousands. People yelled and expressed their opposition. Two members of this Legislature were suspended; I was one of them. But the new tax went through anyway, because the electorate is often handcuffed in the chains of a majority between general elections.

Let me give you one more example. The NDP are now demanding more tools for people and seeking a referendum on the Hydro One fire sale, and I concur with that. It is a reasonable and appropriate request. However, we have no formalized mechanism to compel the government into enacting a referendum. Invariably, this call for a referendum will fall upon the ears of a silent majority in this House, and it will not happen. However, if we had a recall mechanism, such as Bill 89, I'm extremely confident that this fire sale would not only be halted but, more likely, the fire sale would never have seen the light of day; it would have been stillborn in the Liberal caucus room.

Recall provisions cement two very important constructs and prerequisites in development of public policy and the creation of law. First, it demands of the government to bring forth policy that is consistent with both its electoral mandate and the expectations of our constituents. Secondly, and just as important, it compels the government to reach out, to grow and to cultivate support for contentious or controversial but possibly necessary policy changes through engagement, consultations and meaningful interactions—the hallmarks of a truly representative democracy.

There are many more examples that I know of, and that I'm sure each and every member here can recollect, that illustrate these points and their importance—eHealth, the 407, SkyDome, Ornge, the gas plants, to name a few. Ontario would be better off—we would be more prosperous and able to provide for our disadvantaged—if we reduced the scandals that plague all governments.

The benefit of a recall mechanism is just that: It constrains and minimizes scandals and harmful public policy. Recall is the epitome of oversight and the zenith of accountability in a democracy. I believe it is a contradiction for those who preach oversight and accountability but do not permit recall.

I'll just read briefly some of the mechanisms that I've incorporated in Bill 89 for the recall.

"An eligible voter in a member's electoral district can apply to the Chief Electoral Officer for the issuance of a recall petition. No application for ... a recall petition may be made during the year following the member's election or one year before the next scheduled general election.

"A proponent of a recall petition has 60 days to return the petition to the Chief Electoral Officer with the signatures of eligible voters in the electoral district" which represent 25% of the total number of votes cast in the prior election. In that case, if those thresholds are met, "A by-election is then held to fill the vacancy. The recalled member is free to be a candidate at the by-election."

There are a lot of myths about recall, and I'd like to dispel a few of them. In British Columbia, the only province that has it in our country, there have been 26 attempts at a recall petition. Only one met the threshold, and they have had that recall mechanism since 1991—one successful. In that particular case, when they met the threshold, the MLA chose to resign instead of facing the by-election.

As I mentioned, it has been about 170 years, since 1846, since recall was formalized in Switzerland. In Switzerland, it has been attempted on four different occasions. None of those occasions resulted in meeting the threshold, and Switzerland has a very low threshold. Unlike British Columbia, which has a 40% threshold, in Switzerland it is between 3% and 12%, depending on in which canton the petition is done, but as low as 3%, and in 170 years we've seen four attempts in Switzerland.

We know of the recall of Governor Gray Davis in California; that made a lot of news. What we don't know or what we don't see: There had been 117 previous attempts at recall petitions for the governor of California, and 117 never met the threshold. In California, the threshold is 20%—once and only once.

Recall petitions are practised and in use in 34 states. In March of this year, that hallowed institution that our Constitution and our democracy are modelled on, Westminster, the UK Parliament, passed a recall bill for the first time. The thresholds vary significantly, as I've mentioned. Switzerland, between 3% and 12%; in the United States, in different state legislative assemblies, Montana has the lowest threshold at 10% and

Washington has the highest threshold at 35%. My bill is pegged at 25%, and I do believe there is no magic number; there is no perfect number. I'm willing and open to discussion and debate on that. But it's clear that these misconceptions about recall are misconceptions, and I think I have taken appropriate and reasonable steps within the legislation to minimize any potential abuse or mitigate potential abuse.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate? The member for Windsor West.

**Mr. Percy Hatfield:** Oshawa.

**The Deputy Speaker (Mr. Bas Balkissoon):** My apologies. Oshawa.

**Ms. Jennifer K. French:** Thank you, Mr. Speaker. It is always my privilege to stand in this House and add my comments to the debate, and I am very pleased to do it today and speak on Bill 89, an Act to amend the Election Act with respect to the recall of members of the Legislative Assembly.

I am always glad to be able to speak on the topic of democracy. Part of the strength of our democracy is the historical nature of it. We shouldn't be tinkering with it each and every single day. We have checks and balances that hold us accountable between elections. Some of those checks and balances are official, and some of them happen in the court of public opinion and in our constituencies. In fact, sometimes they happen in our parking lots or on Twitter.

When we see examples of our leaders making mistakes, doing damage or not doing enough, there are, fortunately, a number of mechanisms to ensure they are held to account. For example, we have the Office of the Integrity Commissioner of Ontario, the Financial Accountability Officer, Elections Ontario and, of course, the ballot box. Just because someone is a sitting member does not mean they are beyond reach or above reproach.

Thankfully voters aren't shy across the province. They will offer their opinions through petitions, protests, campaigns, media use and, of course, casting their ballots.

**1530**

Mr. Speaker, I stand here as a relatively newly elected member of this Legislature, one who is still humbled by the support in the last provincial election and one who is proud to represent my community of Oshawa. I come from a background of progressive ideals, and I intend to fight to make the world better, starting with those people in Oshawa. I want to work to make it better in the way my neighbours and constituents need, deserve and usually want. I say "usually," Mr. Speaker, because there are so many important issues facing people across the province.

We stand in this House, regardless of party, and stand up for what we believe in. Hopefully we stand on principle. People around this House stand here and bring their backgrounds, their expertise and the voices of their communities with them. We balance what is popular with what needs to be done. Unpopular change sometimes has to happen for the greater good. We still see it, Mr. Speaker, all around the world. We see conflicts and struggle



when it comes to human rights. We see discrimination on the basis of race, gender—

*Interjections.*

**The Deputy Speaker (Mr. Bas Balkissoon):** There are about 20 conversations going on in the room and it's very difficult for me to hear the speaker. So if I could ask everybody to quiet down, or if you really want to talk, if you could take it outside. Thank you.

Continue.

**Ms. Jennifer K. French:** Thank you, Mr. Speaker. I appreciate that.

We see conflicts and struggle when it comes to human rights, as I was saying. We see discrimination on the basis of race, gender, age and socio-economic situation. We see injustice and persecution across the globe, and we see issues in our ridings and in our province every day.

I believe that it takes courage to take risks. We should not be adding a layer of threat to our democratic system. Members might shy away from taking risks or strong positions because they aren't popular. If detractors held more sway, where would we be when it comes to civil rights, to women's rights, to LGBTQ rights? Would women still be tucked quietly at home? Would we have women yet in the Legislature, and would I even get the chance to stand here and defend my right to even be here? These are interesting questions, Mr. Speaker.

Agnes Macphail—I know you've heard of her—the first woman to be elected to the House of Commons and one of the first two elected to serve this Legislature, fought for unpopular causes: equality, pensions for seniors, workers' rights and fairer conditions for those in our jails. They were not popular issues back then and perhaps they're not popular issues now either. Agnes Macphail said that when it comes to doing what needs to be done, "Never apologize. Never explain. Just get the thing done, and let them howl." Mr. Speaker, I would be willing to bet that the Conservatives would have unelected her if they'd had the means back then.

Those who elect us deserve access to us and must be able to hold us to account—absolutely. I wish I had more time to talk about ways this government should be held to account. I appreciate the frustration felt by many Ontarians who feel duped and double-crossed by this government, and the frustration of feeling helpless to stop them. But the good news, Mr. Speaker, is that we aren't helpless. We won't allow individual members or whole caucuses of them to wreak havoc on our society and our public systems. We will work together to hold the government to account, not just slap another reactionary, short-term measure on the pile that will undermine our democracy and growth in the long run.

We have work to do, so let's get at it.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate?

**Mr. Arthur Potts:** Thank you very much for this opportunity to speak to Bill 89, An Act to amend the Election Act with respect to the recall of members of the

Legislative Assembly. I am delighted for this opportunity to address this.

I take the member very seriously. I know he's very sincere in his belief that this is a piece of legislation that supports democracy. It's that libertarian, grassroots view—that very populist view of democracy—that we are acting here at the behest and the command of the people of Ontario. I get it. I appreciate his thought. But I won't be supporting this legislation because, contrary to his view that this supports democracy, I believe it does exactly the opposite and it undermines the very institutions that we're here to protect.

We have to understand that the member talked at length in his remarks about a representative democracy. I think he has missed the subtlety that he actually is in a legislative House, which is a parliamentary democracy. In a parliamentary democracy—although it is a representative democracy, it is a special type of representative democracy. It's one in which the only people who act—where the Queen holds us. Ultimately, it's at her discretion that we continue to serve, or through her representative, the Lieutenant Governor of the province of Ontario. The Privy Council ultimately is there at her behest.

The great tradition in developing a parliamentary democracy has been that the Queen has relinquished that authority to dismiss us on the basis that we continue to hold the trust of the people of Ontario through this Legislative Assembly. Hold their trust and she will continue to respect and hold us responsible for maintaining the affairs of state. That's an extremely important distinction: that it's not the people, once we are elected, to whom we are ultimately responsible, but it's the Queen of England through her representative here.

The ultimate check, obviously, on what we're doing happens every four years under a fixed-term election that we're currently on. Under a fixed term: that's the ultimate check on our behaviour. The member opposite talked at length about a number of what he calls scandals and things that have happened in the past, with his belief that had they had this opportunity for recall, the people would have risen up and would have signed his numbers, and there would have been recall. He puts it in a very interesting way: that this would have been another check, a check that people wouldn't have gone down this route, they wouldn't have taken those risks and those tough decisions that the member for Oshawa talked about that may not have been popular and would have held the government back.

*Interjection.*

**The Deputy Speaker (Mr. Bas Balkissoon):** The member from Lanark-Frontenac-Lennox and Addington, you will have your turn. Please come to order.

**Mr. Arthur Potts:** But then let's take look at what happened as a result of all those—unfortunate, maybe—incidents under the previous administration. When we came forward and were re-elected with a majority, all those issues were in front of the people of Ontario. This belief that any one of those would have triggered recall

from any one of our members is false. I won't call it a complete exoneration, but the people were prepared to look past those under the new leadership of our leader—that we are not going down that kind of route and we continue to hold their trust, now in a majority position.

If you really wanted to have recall legislation—it's not like we're in the Senate of Canada. We are elected every four years. That's the test. In the Senate of Canada, they're appointed for life, or age 65, whatever comes first. You've seen the kinds of appointments the member's government in Canada has been making of late that have caused so much news in the province of Ontario. That is a measure of where maybe a recall legislation—that an unelected representative who is representing us in the Senate of Canada—maybe that's for recall. But, of course, that's not before us today.

The reason that we give the Parliament a four-year mandate—and I take this mandate very seriously—is to protect against what the great political philosopher Montesquieu used to call the tyranny of the majority. In his great treatise *The Spirit of the Laws*, which was used extensively in the crafting of the American Constitution, the conceptual work there, he made it very clear that the majority is capable of tyranny that affects the rights of individuals and minority rights.

One of the great distinctions between the philosophies that I grew up with as a Liberal and what I learned to see from the members opposite, the Tory party, is this undying belief that the majority rule is always right. In a democracy with a constitution, and particularly a parliamentary democracy with a history of constitutional, it's really important that we exercise the right of the majority with due regard at all times for the right of minorities. The mandate gives us that opportunity to espouse sometimes unpopular views that we can then move forward with in a longer-term plan.

The reality is that a four-year term is sometimes perceived as not being long enough to actually, with a forward-thinking—and that's why our government is talking in 10-year terms in infrastructure renewal, because four years—and we will put that 10-year plan back in front of the people three years from now and see where it takes us.

The big problem of a recall is it puts you in a position where you're constantly campaigning to hold a seat that you won. I think about that tyranny of the plurality now, because I was elected in a situation where I won by 431 votes. If I took this member's 25% of those who previously voted, having had 50% participation in the election—in fact, he's saying that 12.5% of the electors in my riding could get rid of me after a year of being in office. What I want to do here is spend my time not always having to worry about re-election, but actually doing the business of government, a business where I spent a lot of time this summer running around the province in my role as PA of agriculture, where I learned so much about some of the things that need to be changed. It's extraordinarily important that I'm not always looking over my shoulder in order to ensure re-election.

1540

*Interjections.*

**The Deputy Speaker (Mr. Bas Balkissoon):** Stop the clock. The member for Leeds—Grenville—

*Interjection.*

**The Deputy Speaker (Mr. Bas Balkissoon):** It doesn't matter. It goes both ways. I'm going to say to you right now: You're warned.

Carry on.

**Mr. Arthur Potts:** Thank you, Speaker. You were very timely, because at this point I'm going to relinquish my opportunity to debate to the other side. We'll get to hear more from our side of the House shortly about why this is the wrong piece of legislation now or ever.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate?

**Mr. Toby Barrett:** Here we are with Bill 89, yet another recall bill to come before this House. We've certainly seen this film before a number of times in the Legislature.

On March 22, 2004, I introduced a private member's bill, the Recall Act, 2004, to enshrine the right for people to retain or remove elected representatives at times other than election day. I will say that during debate I felt about as popular as a snake at a garden party. This government did a very good job of making sure that that bill went nowhere, although, and here's a bit of a quiz, there is at least one Liberal member who's here today who did vote in favour of recall legislation back in the David Peterson days. So we see the cycle come round and round.

With the Recall Act, 2004—11 years ago—any elected member could be recalled for conduct unbecoming of a member after one year in office. My proposed legislation called for, first, a petition, and second, a vote by electors. If more than 50% of the votes cast were in favour of recall, the member would cease to hold office. His or her seat would become vacant. Under my legislation, a Premier would be subject to a province-wide recall in which all qualified voters in the province may participate. The threshold for that was 25% of those who had voted.

The legislation built on recall provisions that had been put in place over many years. A number of states in the United States—15 states—employ recall. Most states allow the recall of elected local officials as well. Half of these jurisdictions adopted recall before the First World War. In 1935—we were just talking about this—William Aberhart passed Alberta's recall act, only to repeal it abruptly a year later as voters made a serious attempt to recall the Premier himself. I understand BC is currently the only province to now have recall.

I'm quite heartened that MPP Randy Hillier has brought this forward close to a dozen years after the government here thought they had closed the books on this particular file.

With respect to BC, an MLA can be recalled. The petition must be signed by 40% of voters. The legislation I put forward had set the bar at 25% of total votes cast.



The state of California only requires 12%, which may explain that Gray Davis business, making the way for Arnold Schwarzenegger at the time.

Just going back, a bit of history: In 1993, it was Liberal MPP Carman McClelland who introduced a private member's bill titled the Recall Election Request Act. It was supported by a number of Liberal MPPs. Many, once they formed government, went on to become cabinet ministers—Gerry Phillips; Monte Kwinter, who is here this afternoon. They all walked away from their support for recall.

What drove my initiative 11 years ago was an MP from the Markham area named Jag Bhaduria. He exhibited conduct unbecoming. Tens of thousands of petitions tried to get rid of him, but there was no law to remove him. The Liberal Party removed him, but he continued to retain his seat as MP for Markham—Whitchurch-Stouffville. That was my incentive at the time: conduct unbecoming.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate?

**Ms. Cheri DiNovo:** It's a pleasure and a privilege always to stand in this House and represent the people of Parkdale—High Park, but also represent, as the member from Oshawa so eloquently said, minorities across the province, and those whom I don't necessarily represent and don't necessarily elect me, but those who need me. I think that is really the hub of representative democracy.

I'm definitely not going to support this bill from the member from Lanark—Frontenac—Lennox and Addington, and I'm going to give a few reasons why. Again, the member from Oshawa outlined that we are held to account while we're here. There are members of the Legislature who are appointed, like the Ombudsman and others, whose job it is to hold us to account—financial accountability, integrity etc. Their job is to hold us to account between elections.

Also the fourth estate, the media, holds us to account. We all know about social media and we all know about polling. All of that tends to hold us to account as well.

But I'm going to say a few things about why recall doesn't work, and I'm going to use his own words against him—the member who's not listening at the moment, but he should. Actually, he made the best argument for why recall doesn't work: because it doesn't work. As he said, in Switzerland it's been used, in how many hundreds of years, very rarely. In the States—and they use it a fair bit down there—only 50% of the time does it actually work, and mostly for municipal. About two thirds of that 50% are municipal elected officials. And this is very non-partisan: It doesn't work for the left; it doesn't work for the right. Who does it work for? It works for people with money.

As my friend Rosie Marchese, who was here the other day, would say, pecunia. It's all about the pecunia. I'll give you a classic case of that. In 2003 in California, Arnold Schwarzenegger—we know who he is—spent \$10 million to aid the effort to recall Governor Gray Davis, and then ran himself—no particular interest

there—in the subsequent by-election. This is how recall can be used by interest groups with a great deal of money.

But I'll use an example from the left as well. We know about the situation in Wisconsin where a right-wing governor, I would say, brought in right-to-work, which, of course, those of us who happen to support the ability of people to organize into unions would not support. An activist group tried to have him recalled. Guess what happened? Again, it came down to the money. They didn't have enough money to effectively run a recall campaign and then campaign against him when he was recalled. So guess what? He was re-elected with an even bigger mandate.

There's an example on the right and on the left where it really is about the money. Let's face it: Democracy should not be about who has the deepest pockets.

One of the things that I'm grateful for, living in Canada and not living in the States, where recall is more of a way of life, is that we have tops on what we can spend on elections. The average senator down there spends a third of their time fundraising—

**Mr. Bob Delaney:** Half.

**Ms. Cheri DiNovo:** Half now; I hear "half" now.

Wall Street runs elections. Bay Street has an input—don't get me wrong; we know they do—but we can say they don't run elections. People can run for election here who don't have a lot of money and a lot of resources. We want to keep the democracy in the democracy.

I'm going to use another Conservative also with my friend from Lanark—Frontenac—Lennox and Addington, and that's Winston Churchill himself, who talked about democracy. I love his quote. He said that democracy is the worst possible system, except for all the others. And he was talking about parliamentary democracy, parliamentary representative democracy, which is what we are tasked with here.

Ultimately, of course, the ballot box is where the vote should happen. We are held to account not just every four years. I myself am in my ninth year. I have to say I just celebrated my anniversary two days ago: nine years of serving. I've had four elections in nine years. My goodness. Do we want more than that? If we really are talking about wanting more than that with minority governments, if we're really talking about that, we're talking about pecunia again, money. The more elections, the more money it takes. We can see how the federal government has done it with this ridiculously long campaign where, again, we have to raise twice as much money just to get elected as we would have if it had been a regular-length campaign.

**1550**

The more we can keep the influence of special interests and money out of politics, the better, as far as we in the New Democratic Party are concerned, the more we can really be a representative democracy, not just working for the people in our ridings—no—working for the people across Ontario who may never get a chance to vote for me or you or someone else specifically. We also

represent them. Again, I think we don't want that tyranny of the majority that was spoken of already. What we really want is to be able to give minorities and minority rights issue here, which we do.

Again, with all due respect, he made the case himself: Recall doesn't work; it doesn't even work for those who support recall. It hasn't worked. It hasn't worked in the States; it hasn't worked in BC. A perfect example in BC: It's been tried 26 times, and it didn't even work in the one attempt.

**Mr. Randy Hillier:** The member stepped down.

**Ms. Cheri DiNovo:** He stepped down. So one out of 26 times—you know, come on; it doesn't work even then.

So, let's keep money out of politics, let's keep recall out of politics and let's make sure that we are democratically elected, and that when we are, we represent more than just the people who voted for us, but we represent the people who didn't—all those people in Ontario who also need a voice—and need our voice. We are delighted, honoured and privileged to serve, and every time we go to the ballot box, they get to say that you did a good job or you didn't.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate?

**Hon. Glen R. Murray:** Speaker, I always enjoy the member from Lanark-Frontenac-Lennox and Addington, because he has the courage to bring forward ideas that others would cower at, and he always ensures there is dynamic and interesting debate in the House. I will certainly commend him on that.

Much as I disagree with him, it deserves substantial debate because this is fundamentally a debate about what we think about our democracy and our role as legislators in our relationship to public governance and to the public as a constituency, the tensions between leading a government and representing people. It's an important debate that we should have, and I really do sincerely give him credit for asking some fairly profound questions about our roles here, because not enough of us do that. I mean that sincerely.

I'll now tell you why I fundamentally disagree with you but respect your opinion. I do that because it is not part of the British Commonwealth or British parliamentary tradition for a very substantive reason. I just want to go to the UK, where the member said that. Let's look at some individuals in the UK.

Horatio Bottomley, following conviction for fraud and sentenced after seven years' imprisonment, was forced to resign by the British Parliament under their equivalent of the Integrity Commissioner, as was Garry Allighan for contempt of the House in the publication of an article accusing MPs of insobriety and taking bribes for the supply of information. Poor old Peter Baker was forced to resign by the table officers of the British Parliament after receiving a custodial sentence of seven years following a conviction for forgery.

The British system used to work very well when it had a system like we have here at Queen's Park. The member

for Parkdale-High Park accounted the many table officers, Integrity Commissioners and that. But the British walked away from that system, stopped enforcing it and left what was a very fine tradition. When the expense scandal happened in a minority government, rather than going back to what had worked, which had forced the resignation of many members, they decided to have recall legislation, but with cause. There are specific articles very similar to what our Integrity Commissioner has over us with cause.

The member opposite is saying, "No cause." With cause in the UK, it requires 10%. The British Columbia system, which is the only other one in the Commonwealth that has it, has no cause but requires a 40% threshold. I would say: one or the other. Why would you have recall without cause? It doesn't make much sense.

I just want to take a moment to look at how it is used in the US, which is a republican system with a separately elected governor, where the executive branch does not sit in the assembly. It has been used on several members, one in New York and one in Washington, by large lobby groups. The biggest triggerers of recall legislation—a Democratic Senator in New York, who was trying to do background and mental health checks on gun owners after some terrible shootings: the NRA and the gun lobby drove that recall. The same thing happened in Oregon and—member opposite—unions in Wisconsin.

What it creates is not this great open democracy of local, my aunt Ethel and my next-door neighbour Rose get together and petition very often because, as the member for Parkdale-High Park said, that doesn't work. It attracts money and power to politics and intimidates politicians who stand up to important interests—corporate, labour or gun lobbies—and risks them their own electability. We brought in term limits, in addition to all of the other protections we have, so we know, in four years, that gives enough for us to do it.

Where else has it been used? It was used in BC to try to defeat eight incumbent members of the Liberal Party there over the HST, which, as we know, having passed that in this House with the federal government, has been an economic benefit to Ontario and was a complex piece of legislation that is properly put before the people of Ontario and Canada by the two governments, both the governments of Canada and Ontario, as part of a complete set of policies.

This asks for policy cherry-picking: "I want to have everything. I'll support any politician who wants pensions, health care, universal education, to cut tuition, but I don't want to vote for any way to pay for it," or, "I don't like sex education; I like everything else they're doing, so let's pick on the members who were the Ministers of Education. Let's try to target them."

The other check and balance that we have here—the jurisdictions that have it, most US states, have very specific conditions and are not this open-ended "I don't like you so we'll have a recall"—is that my counterpart in California, Matt Rodriguez, does not sit with Governor Brown, who also does not sit in the assembly. I sit here



and face you every day to be accountable to you. That doesn't exist in all these systems in Switzerland and in the US that have recall. Recall has never been in the parliamentary tradition, because, unlike republicans, our executive council is part of our assembly and has day-to-day accountability in question period, which the executive members of state governments don't have.

That's why this makes no sense for a British Parliament, and it would be a terrible precedent. It should not be supported.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate?

**Mr. Steve Clark:** I'm pleased to speak in support of Bill 89, the recall of members, not only because it is tabled by my friend and my colleague from eastern Ontario the member for Lanark-Frontenac-Lennox and Addington, but I believe it's the right time to amend the Election Act and move recall for MPPs forward.

I think Bill 89 has tapped into a message that really resonates with people. Giving voters tools that help make their elected representatives more responsible and responsive between elections is, I think, a good thing. So if you're like me and you've spent the predominant part of the summer out at events, meeting with constituents, you know that there's a number of constituents who have expressed deep concern about this government. People want a government that works for them, yet, over and over again this summer, I've heard people's anger, I guess, really, about this government's majority.

I don't think any other sector of our society operates the way we do, where your boss—in this case, the electorate—has to wait four years before they have a chance to do something regarding your performance. I think Bill 89 does give you the opportunity to put some of that talk that I heard this summer in action.

I want to say to the members of the third party, because I'm quite concerned, Speaker, with some of their views: Their leader has spent the summer touring the province with petitions against the sale of Hydro. First of all, I happen to agree with them that the Hydro sale proposed by the Premier is a disaster, but those petitions, no matter how many signatures they get, won't cause this government to reverse course.

I know the Premier knows that the overwhelming majority of Ontarians are against the sale. They're still moving full speed ahead, but I think if voters had the power of recall, I just wonder whether the Premier or members of her cabinet or the backbenchers would want to ram this through. When the recall petitions start circulating in Northumberland-Quinte West or Barrie or Cambridge or, yes, probably even Don Valley West, I think the discussion at the caucus table might just take a bit of a different tone. I think that's truly empowering the public, Speaker.

1600

I don't want to spend a lot of time, like some of the other speakers, talking about the mechanics of the number of electors needed or how we're going to deal with that. I think we just need to support the concept

that's presented in Bill 89. I think we need to get the bill into committee to hear some of those experts, to hear from some of the people in BC. I don't want us to miss the opportunity, so don't get hung up with the threshold—whether it's 60% or 50% or 40%, rather than the 25% set out in Bill 89. I think we need to make sure this bill goes forward so that we can continue the debate.

I think Mr. Hillier has brought a very important public policy item. I think we need to support it. Like you've done with so many other bills, get it into committee, and then let's work on the mechanics.

I support this bill. I'll be voting in favour of it.

I want to thank you for not ejecting me earlier so that I had the chance to make this speech. Thank you, Speaker.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate?

**Mr. Michael Harris:** Thank you, Speaker, for the opportunity to address the timely call for powers of recall as set out by my colleague from Lanark-Frontenac-Lennox and Addington in his proposed Election Amendment Act, 2015.

Let me say off the top that when it comes down to it, recall is essentially direct democracy at its best, allowing the electorate to retain or remove elected representatives at times other than election day. It is a key concept that speaks to the very core of our democratic system, ensuring accountability on a continuing basis throughout a government's rule, as opposed to only once every four or five years. Certainly, there is a long history in North America of attempts, both successful and not, to install these powers of basic direct democracy, to guarantee that accountability. Fifteen states allow recall for elected state officials, and many states have recall powers for elected local officials.

Most recently, we saw the democratic process at work in Wisconsin when petitioners opposed to Governor Scott Walker's labour initiatives collected over 900,000 signatures to initiate the recall election process. The signatures and subsequent call for election in 2012 led to a full debate of the governor himself and his direction for the state that, in the end, allowed the people their say to ensure the principles of democracy remain supreme. When all was said and done, Governor Walker was re-elected, his mandate confirmed, and democracy was served.

On this side of the border, it was Premier William Aberhart who passed Alberta's recall act in 1935. It was also Mr. Aberhart who moved to repeal that same act when voters attempted to recall the Premier himself.

Today, the only province with the recall option in Canada is British Columbia, where there have been 24 recall efforts since the passing of the Recall and Initiative Act in 1994. While those efforts have met with varying results, there's no doubt that we've seen in BC the direct democratic power that recall allows. Speaker, if only that democratic right was allowed for the people of Ontario.

In fact, over the past 30 years, there have been numerous calls for recall provisions in Ontario, brought forward by members of both the Progressive Conserva-

tive Party and the Liberal Party. In 1993, for instance, there was the Recall Election Request Act brought forth by Liberal MPP Carman McClelland. As we've heard more recently, our own member from Haldimand-Norfolk brought forth the Recall Act in 2004. Unfortunately, to this day these calls for direct democracy have yet to take hold in this province.

Speaker, it seems a little strange, when you consider the democratic principles that our society is built upon, that democratically elected members continue to reject the importance of direct democracy at times other than election years. I think we should all be working to ensure that when choices are between governments dictating divisive decisions onto citizens versus allowing the electorate the democratic freedom of choice, the right to direct democracy must remain paramount. That's why in my area I was supportive and advocated for a change that would allow the good people of Waterloo region the right to hold a referendum when plans to open a casino in our area created divisive debate on many sides. Further, I pushed for democratic choice in recent months, following the passing of regional councillor and former MPP Wayne Wettlaufer. While the Municipal Act allows for appointment or by-election to fill vacancies, I argued for the democratic right of citizens to vote for their representatives, much as Wayne himself indicated in this Ontario Legislature on June 25, 2001: "We cannot be democratic if we do not give people a choice."

It's clear that without choice, there is no democracy. To that end, I reiterate my support for choice, for direct democracy and, indeed, for the power of recall as proposed by my colleague the MPP for Lanark-Frontenac-Lennox and Addington.

Thank you, Speaker, for the time allotted today.

**The Deputy Speaker (Mr. Bas Balkissoon):** I now return to the member from Lanark-Frontenac-Lennox and Addington. You have two minutes for a reply.

**Mr. Randy Hillier:** I want to thank everybody for engaging in the debate this afternoon. I think it is important public policy to be debated here. I will have to make a mention. When I heard the member from High Park demonstrating or trying to suggest that recall doesn't work, it reminded me that her analogy would be more appropriately like this: Because I didn't get a flat tire, therefore my bumper jack mustn't be working in my truck. Because the success of the by-election did not remove somebody, it does not mean that the process was faulty. Indeed, with Governor Scott Walker, I think there's a case where the recall petition legitimized that controversial policy that he was attempting to bring in, and in the case of Gray Davis, where he was removed. Just because a person is not re-elected or because the threshold isn't met doesn't mean that the process is faulty.

I do want to say this as well: As the member from Haldimand-Norfolk mentioned, there was a time when Liberals, prominent Liberals, in this chamber were not fearful of recall and were not fearful of the electorate, who advanced and advocated for these very same

policies. I can say to this House that if one day I'm sitting on that side of the Legislature—I don't know if that will happen or not, but if that happens at some point in my career, I will advance recall legislation, if it's not advanced or gone through second reading today.

Regardless of the side of the aisle, I believe it's important that we respect our constituents and not fear them.

**The Deputy Speaker (Mr. Bas Balkissoon):** Thank you all very much. The time provided for private members' public business has expired.

PROVINCIAL ADVOCATE  
FOR CHILDREN AND YOUTH  
AMENDMENT ACT, 2015

LOI DE 2015 MODIFIANT LA LOI  
SUR L'INTERVENANT PROVINCIAL  
EN FAVEUR DES ENFANTS  
ET DES JEUNES

**The Deputy Speaker (Mr. Bas Balkissoon):** We will deal first with ballot item number 61, standing in the name of Miss Taylor.

Miss Taylor has moved second reading of Bill 117, An Act to amend the Provincial Advocate for Children and Youth Act, 2007 with respect to notices of critical injury or death.

Is it the pleasure of the House that the motion carry? I declare the motion carried.

*Second reading agreed to.*

**The Deputy Speaker (Mr. Bas Balkissoon):** Pursuant to standing order 98(j), the member for Hamilton Mountain—

**Miss Monique Taylor:** Justice policy, Speaker.

**The Deputy Speaker (Mr. Bas Balkissoon):** Refer to justice policy. Agreed? Agreed.

GREAT LAKES SHORELINE  
RIGHT OF PASSAGE ACT, 2015

LOI DE 2015 SUR LE DROIT DE PASSAGE  
SUR LE LITTORAL DES GRANDS LACS

**The Deputy Speaker (Mr. Bas Balkissoon):** Mr. Gates has moved second reading of Bill 118, An Act to create a right of passage along the shoreline of the Great Lakes.

Is it the pleasure of the House that the motion carry? I heard a couple of noes.

All those in favour of the motion will please say "aye."

All those opposed to the motion will please say "nay."

In my opinion, the ayes have it. I declare the motion carried.

**Mr. Steve Clark:** On division.

**The Deputy Speaker (Mr. Bas Balkissoon):** On division.

*Second reading agreed to.*



**The Deputy Speaker (Mr. Bas Balkissoon):** Mr. Gates?

**Mr. Wayne Gates:** I'd like to have it go to regulations and private bills, please.

**The Deputy Speaker (Mr. Bas Balkissoon):** The member has requested that it be referred to regulations and private bills. Agreed? Agreed.

1610

#### ELECTION AMENDMENT ACT (MPPS' RECALL), 2015

#### LOI DE 2015 MODIFIANT LA LOI ÉLECTORALE (RÉVOCATION DES DÉPUTÉS)

**The Deputy Speaker (Mr. Bas Balkissoon):** Mr. Hillier has moved second reading of Bill 89, An Act to amend the Election Act with respect to the recall of members of the Legislative Assembly. Is it the pleasure of the House that motion carry?

All those in favour of the motion will please say "aye."

All those opposed to the motion will please say "nay."

In my opinion, the nays have it.

I declare the motion lost.

*Second reading negatived.*

#### ORDERS OF THE DAY

#### STRENGTHENING AND IMPROVING GOVERNMENT ACT, 2015

#### LOI DE 2015 SUR LE RENFORCEMENT ET L'AMÉLIORATION DE LA GESTION PUBLIQUE

Resuming the debate adjourned on September 15, 2015, on the motion for second reading of the following bill:

Bill 85, An Act to strengthen and improve government by amending or repealing various Acts / *Projet de loi 85, Loi visant à renforcer et à améliorer la gestion publique en modifiant ou en abrogeant diverses lois.*

**The Deputy Speaker (Mr. Bas Balkissoon):** When this item of business was last debated, the member for Bramalea-Gore-Malton had the floor. I recognize the member for Bramalea-Gore-Malton.

*Interjections.*

**Mr. Jagmeet Singh:** Thank you very much, Mr. Speaker, for the recognition. Thank you very much to the minister for the applause. Please, please, no applause.

It's my honour to continue the debate on this matter. The bill talks about how we can strengthen and improve the government. There are a lot of ways we can do that. The bill talks about a couple of ways. I'm going to propose a whole host of other ways.

One of the ways that this government hopes to improve and strengthen the government is by looking at a number of the ministries and improving or amending some of the bills or the acts that operate within those ministries.

One of those ministries is the Ministry of the Attorney General, and specifically the government seeks to amend some of the bills or the acts around the Family Court system. While those amendments will indeed provide some incremental improvement, there are other things that this government can do to significantly improve the justice system. I'll talk about some of the other strategies this government should implement.

One of the major issues when it comes to the justice system is the fact that the justice system requires balance. While we see that the prosecution and the police services certainly have a considerable amount of resources, it's not balanced when it comes to the defence side, and access to justice requires access to legal aid. Legal aid is an important issue. The government has made some steps in improving legal aid; I acknowledge that. There have been improvements in terms of the funding for legal aid, but more needs to be done, particularly when it comes to the principle of counsel of choice.

Our system is far superior to the system, if we look to the south in the States, where there's a public defender model. The public defender model doesn't allow for counsel of choice, and that principle of counsel of choice here in Canada is a model to look at. You can, with your legal aid certificate, enlist the aid of some of the best lawyers in this country. They will accept a legal aid certificate and you will receive a high-quality legal defence. That is paramount in a system of rule of law that actually instills and enforces access to justice and creates a more fair society.

But this model is at risk of being eroded. If we want to maintain this model—this superior system that provides clients and those who are accused with the right, the ability to access the lawyer of their choice—we need to make sure that the lawyer-of-choice model is preserved, and that requires some additional reforms to the legal aid system and it requires additional funding.

We need to make sure that anytime there is funding in the justice system it's proportional, both on the defence and on the prosecution sides. If there isn't that proportionality, if there isn't that balance, there will be an imbalance in the system and there will be unfairness. That's an area where we need to see more attention paid.

With respect to access to justice, the legal clinic model is something that is very useful. It provides great access to justice and it acts as a physical location that's accessible to local communities and provides a host of services which have been very helpful in improving access to justice. There are a number of clinics across the GTA and across the province which do phenomenal work. That legal clinic model is also at risk. There needs to be a clear commitment on the part of this government to protect that model so that people can access legal clinics in their communities and can meet face to face

with a lawyer. Often, when there are cases of barriers when it comes to language, meeting someone face to face makes it a lot easier to express whatever the concerns are and provides an easier way to access justice, provides an easier way for you to get the legal advice you need.

Again, in improving the justice system, this government needs to commit to the legal clinic model and ensure that if there are other systems they may complement it, they may provide other resources and other alternatives, but the essential legal clinic model has to be protected. That's on the justice side.

There's a host of other areas where this government could improve and strengthen the government. One of the major areas—and we've seen this issue come up time and time again. An issue that causes so much concern is accountability and transparency. This government has an opportunity here to ensure they strengthen that, because if we want people to be engaged in politics, they need to know that the government and government policies are accountable and transparent. One of the ways we could do that is the existing model. We have the Ombudsman. We need to continue expanding the Ombudsman. The government did, for the first time in a long period of time, expand the mandate of the Ombudsman's office to include an additional sector, but when we look at the MUSH sector, there's still one glaring area that's not being covered. I urge this government to ensure that all of the MUSH sector is covered by the Ombudsman's mandate.

The area that's of concern is the health sector. The health sector has been left out of the Ombudsman's mandate. The recent changes to the law, which suggest having an ombudsman through the hospital—that system is not the same as the Ombudsman. The Ombudsman is an independent officer. The Ombudsman has independent powers. It's someone people know about. People already complain to the Ombudsman. The Ombudsman should also have the mandate to investigate and conduct reports on the health sector; this government should do that. If they truly want to improve and strengthen the government, one of the main ways to do that is accountability, and one of the sectors that's left out—and I don't understand why the government doesn't just close that hole and provide that expanded coverage to the Ombudsman's office and allow them to investigate the health sector. That would be something that would be concrete, that would actually improve and strengthen the government.

When we're looking at the various sectors that have been amended by this bill, the various areas, the ministries that have been addressed by it, let's look at the health sector. Health is one of the largest expenditures in our budget. It's one of the most important. When people talk about the issues that they care about when it comes to provincial politics and provincial issues, health is one of the major concerns that comes up. People talk about accessibility of doctors, being able to have a family doctor. People talk about the importance of being able to get to their hospital, having local hospitals. The issue that keeps on coming up again and again is the fact that there

are significant hospital bed closures, particularly in communities outside of the GTA, and that's a big concern. We need to address that concern. People need to have access to family doctors, people need to have access to local hospitals and local hospitals need to have a full range of services.

One other model that has been shown to be very effective that the government hasn't really explored to its full potential, hasn't really maximized—and I encourage the government to maximize it—is the community health centre model. Community health centres provide excellent service and, in fact, can be a great alternative to the hospital. Right now, for most people, when they're sick, there really is only one place for them to go. If it's late at night and their child has a serious cough or a fever, and they're concerned, rightly so—parents are concerned—there is only one place to go. They go to the hospital. The hospital is not the best place for these types of illnesses. It's a great place for acute trauma, for acute injuries, for acute scenarios, but when it comes to chronic, long-term or less serious illnesses, the hospital is simply not the best facility. The hospital is a more costly means of providing care, and it's not the best way to address things like a fever or a cough, which may be serious enough to raise the attention of a parent to want to find some solution or bring the child to a medical professional, but a hospital may not be the best place for them to go.

1620

I encourage the government to consider expanding the community health centre model. It's been shown to provide great results in communities. They provide great work in terms of prevention and awareness. They do great work in terms of providing training and education to community members so that they may improve their health and don't need and require the same level of care they would if they hadn't taken steps to prevent whatever illness it may be.

In addition, it's a more affordable mechanism to provide triage. If there were accessible community health centres, perhaps 24-hour centres, that people could go to and at that point, if there was a serious issue, they would be triaged by a nurse or a doctor and they could identify that this matter is serious and then they would need to actually access a hospital, it would be a far better system than the current, where people are going directly to a hospital, and rightly so; there's nowhere else for them to go. But it clogs up the emergency rooms, and people are left waiting for hours and hours. That will be a way for the government to strengthen and improve. They could look at that as a potential model.

There are various areas of this government that could benefit from significant improvement. I touched on before, and think it's important enough for us to return to, the Ministry of Transportation. There are amendments to the Ministry of Transportation proposed in this bill, but there are some serious issues that have been completely untouched, and the government has not acted on them.

When it comes to the Ministry of Transportation, there are two areas of major concern. One is snow removal.



The Auditor General released a scathing report that the snow removal outsourcing this government engaged in resulted in unsafe roads, clear and simple. The report was very scathing. The report pointed out very clearly that as a result of outsourcing and inadequate snow removal, roads were left in dangerous conditions in the winter, particularly in northern Ontario. Those dangerous conditions resulted in severe accidents, and some of those accidents were fatal. They could absolutely have been prevented had the government implemented a better system and had they not outsourced snow removal.

It seems like something that's not a major concern, but it is a major concern. This affects the lives of people in northern Ontario, and the outsource model did not work. It clearly didn't work.

In addition, we've seen significant complaints about Serco, the regime that resulted in the outsourcing of licensing when it comes to commercial vehicle testing and when it comes to regular, day-to-day vehicle testing. There have been complaints about Serco: its lack of capacity, its inability to provide the services that people need. There are unnecessary and undue delays, hours and hours of waiting to get a basic licensing process completed.

When it comes to commercial licensing, even more so there are a number of areas of concern. I met with some concerned constituents, particularly those who are involved in the education sector, educating drivers. There are fees that are being unfairly imposed. There are unfair delays that are imposed. And whether a test is completed or not completed, they still have to pay a fee. There are a number of areas that could be improved, and the government hasn't done its job to do so.

One of the areas that I touched on before and that I think I want to summarize in my last minute is that the government had the opportunity to make significant improvements, and one of those areas was with the cost of living. The government is responsible for mandating and regulating the auto insurance regime in this province. They had an opportunity to address some of the concerns that impact a number of areas, particularly the suburbs of the GTA. Whether it's Peel region, whether it's Scarborough, whether it's North York, these are some of the most expensive areas to be insured in, not only in the province, but in the entire country.

The Ministry of Finance has direct oversight over the auto insurance industry. They regulate the rates that are set in this province, and the government simply hasn't done its job to ensure that we're paying a more affordable rate here in Ontario.

I implore the government to use the powers you have to truly strengthen and improve government.

**The Deputy Speaker (Mr. Bas Balkissoon):** Questions and comments?

**Ms. Indira Naidoo-Harris:** It gives me great pleasure to rise today and talk to the Strengthening and Improving Government Act. I want to start out by saying that, you know, sometimes the real successes of something are not in the big things, but in the little things. It's in the details.

And I find more and more in my life how true that is. Sometimes it's initiatives, but it's really thinking about the details and how they are carried out. This act actually does that. What it does is it tries to improve the efficiency and responsiveness of government.

I can tell you that in my riding of Halton, I talk to people all the time, whether they're in the grocery store or whether I'm taking my kids to school or going for a walk in the park. And when they talk to me, they say, "How you finding your new job? What do you think about it?" Their idea of government sometimes includes an idea about all levels of government and just how large it is and how hard it works, but, at the same time, we often hear about the little things that maybe don't work as clearly and as efficiently as they should.

What this act does is it tries to address those very things, and so I'm really pleased to be standing here before you and talking about this. This strengthens and improves government. It makes sure that we're delivering services to Ontarians and improving the efficiency and responsiveness of government. What we're trying to do is modernize processes and make systems easier to navigate. That is key. There's no point in doing things for people if people can't actually navigate through the system and know what it is that we are trying to do to help them. So what we're going to be doing is strengthening and updating existing legislation to deliver that foundation. Here are a couple of ways we're doing it.

First of all, we're making amendments to the Highway Traffic Act on stretcher transportation services. The government is taking action to improve the safety and reliability of the private sector, non-emergency stretcher transportation services in Ontario. What this means in my role is that I've heard many times, talking to people, about being able to deliver non-essential ambulance services, especially to people in the north. This is extremely important and vital to them, and this is going to make sure that we're improving that system and we're taking care of it.

This is just one of the many things—

**The Deputy Speaker (Mr. Bas Balkissoon):** Thank you very much.

Questions and comments?

**Mrs. Gila Martow:** As the member from Halton just said, we definitely need to modernize and improve the way government runs. I hear often, as well, "How are you finding your new job?"

The number one thing that people in the province do that interacts, I believe, with the government that really makes them wonder how government operates is when they have to visit ServiceOntario to renew their health card or to renew their driver's licence, and they are met with huge lineups, nowhere to wait, nowhere to sit, surly staff who tell them they don't have proper ID. They go home, they get more ID, they come back, and then they're told, "Yes, you had the proper ID to begin with."

Let's not just talk. Let's show some action. There are already a lot of places where we could be improving things even without new regulations to tell us to

modernize and improve. Let's just do it. Let's modernize and improve ServiceOntario. Let's put some rules in place; let's do some spot inspections; let's make sure they are accessible the way they are supposed to be. People have told me that doors don't open properly and they feel that they have to go to a further ServiceOntario because they are not able to access the one closer.

The member from Halton also mentioned the Highway Traffic Act. Well, my private member's bill has all-stakeholder support, from CAA to the towing industry and all kinds of first responders as well, to have a highway incident management team in place the way other large cities like Miami do. Let's make our roads safer.

So I think it's wonderful that we bring forward new legislation, but I think there are a lot of ways that we can strengthen the regulations that we already have, to enforce the regulations that we already have and to ensure that everybody in the province who needs to access government services is able to do so in a timely fashion.

**Mr. John Vanthof:** It's always an honour to be able to stand in this House and, today, talk on Bill 85, following my colleague from Bramalea–Gore–Malton. I just have to say, to start, that An Act to strengthen and improve government by amending or repealing various Acts—it's a housecleaning bill, and you know what? There are necessary things in this bill.

1630

One of the things is to create regulations for stretcher transportation services. Quite frankly, before I was elected, I didn't really know anything about this issue, and I don't profess to be an expert now. But these services provide an essential part of the health care system. Ambulances are for emergencies. There are lots of times when patients need to be moved. It's not a crisis situation, but they do need non-ambulatory transportation—stretcher services. I'm happy to see that they're going to be regulated.

I would be even happier if we actually had a fairly uniform system throughout the province, because in my part of the world, in northern Ontario, these services don't exist in many places. What happens is, if a patient needs to be transferred from a hospital to a nursing home, they have to wait and they have to wait and they have to wait until there's an ambulance available. Because there are no spare ambulances, what happens then is that ambulances have to be shuffled around. Sometimes in my region, you'll see an ambulance by the Harley hall, and people will wonder why that ambulance is there. It's because that ambulance is covering, because there's a stretcher service being used by the ambulance—it could be going to Sudbury or North Bay—and we're short of ambulances. That could create a crisis at some point. We need to fix that.

**The Deputy Speaker (Mr. Bas Balkissoon):** The member for Beaches–East York.

**Mr. Arthur Potts:** Thanks for this opportunity to respond to the member from Bramalea–Gore–Malton's comments on the Strengthening and Improving Govern-

ment Act, Bill 85. I was delighted for this opportunity. I listened to the member very intently, in the first three quarters of his speech the other day, and had the pleasure again to hear what he had to say today. He is a very experienced lawyer. He had an opportunity, in private practice, to represent clients, and he had real-life experience in so many of the issues that are reflected in this bill. He brought very intelligent comment in the first two or three minutes of his speech about those areas which this bill seeks to address, and then spent the rest of his time talking about areas the bill isn't addressing and ideas we should be addressing. I was somewhat tempted to stand on a point of order around section 23(b): "Is he really speaking to the bill or is he really wishing about other things that should be in the bill and not speaking to the bill directly?" But out of respect for his intelligence and the knowledge that he can bring, and all the different review that he has done on all the different legislation that is being touched on in this bill, I was happy to let it go, because I learn much from him.

I know we have his support for this bill. He said that maybe the name of the bill itself was a little bit overreaching: the Strengthening and Improving Government Act. I think he called it the "a few minor details to a few government acts" bill; that was some other act that he'd like to see it called.

What I would suggest is that we can now take all this excellent commentary that he had from his in-depth review of the 15 statutes that are being addressed and the housecleaning that is done in this bill, and maybe we could talk about the new Strengthening and Improving Government Act 2, the sequel to follow—Son of the Strengthening and Improving Government Act—because we can use the intelligence you brought to this debate in some of these other areas. Maybe those are housecleaning items that we also must address in due course.

I'm sure that members of our government will be going through the Hansard carefully with a fine-toothed comb to cull out those gems that you've brought to our attention of how we can make this a better Ontario.

**The Deputy Speaker (Mr. Bas Balkissoon):** I thank everyone for their comments.

I now return to the member for Bramalea–Gore–Malton. You have two minutes for a reply.

**Mr. Jagmeet Singh:** I am encouraged by the spirit of collegiality that has swept over the chambers today. It's very encouraging and heartwarming, and I thank all the members for their input today.

Certainly, the government, and all governments, will continually improve and seek to strengthen whatever laws and acts exist. I think that's an ongoing process and it will never end.

As opposition members, I think it's our duty and responsibility to ensure that we put forward those ideas that strengthen and improve, wherever they may be, and the specific life experiences of each of the members here can provide invaluable assistance in making sure that happens. Whether it's improving our health care, whether it's improving the justice system, whether it's improving



the cost-of-living situations that exist, the government can benefit from hearing the input of various members.

Just in the final minute I want to really focus in on one of the areas of improving and strengthening the act which this bill doesn't do and where the government has gone in the wrong direction. When it comes to strengthening and improving the government, one of the most important thing that the government can do, again, is to make sure there is accountability and transparency.

When it comes to Hydro One, the government has rolled back accountability and transparency in the most historically significant way that this province has seen. They have removed all of the independent officers' ability to provide oversight. All of the independent officers, save and except for one, issued a joint letter to state that this is the wrong thing to do. That was a very historic moment, when all of the independent officers wrote this letter together. I ask the government: If they want to strengthen and improve the government with respect to Hydro One, they need to ensure there is accountability and transparency.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate?

**Mrs. Kathryn McGarry:** It's a pleasure to rise today. I'll be sharing my time with the Minister of the Environment and Climate Change and also the Chair of Cabinet.

I'm standing here in support of the Strengthening and Improving Government Act, Bill 85, because it does a number of housekeeping items, but it also makes sure that we are modernizing and moving forward with essential legislation in the province to make sure that we are governing efficiently.

I wanted to speak about a couple of things that I can really relate to. One is the amendments to the Highway Traffic Act on stretcher transportation services. The government is actually taking action to improve the safety and reliability of private sector, non-emergency stretcher transportation services in Ontario. As a former nurse, I've spent more time than probably anybody else in the House in the back of some of these stretcher transport vehicles. These are the vehicles that are operated in order to be able to do a lot of the essential transportation of patients, either between a hospital and another hospital, or a non-emergency transfer to be able to go and get a diagnostic imaging test at another hospital. It's also a service that families can actually book to transport their loved one if they are unable to travel in a regular vehicle sitting in a wheelchair or whatever the case may be; to be able to transport the patient between their home and either a hospital facility or, again, a medical appointment. These are very essential services.

But regulating these particular vehicles, making sure that the public is safe for these services, and also making sure that we can utilize these vehicles in a safe manner to be able to allow the emergency EMS services to use the regular emergency vehicles to get to 911 calls—that's why it's really important to make sure that we have the regulations set and that we can use both.

Speaker, the amendments to the Highway Traffic Act would actually regulate private sector non-emergency stretcher transportation vehicles and their drivers, which, again, allows the passengers travelling on stretchers, including those transported between health care facilities, to be moved safely. The new standards would require the operators and the drivers to meet specific requirements with respect to vehicle inspection, maintenance, prescribed qualifications for staff on board, equipment and record-keeping. The new standards would address concerns put forward by Ontario's Ombudsman on the issue. This amendment was originally introduced in the Legislative Assembly of Ontario as part of the 2013 Strengthening and Improving Government Act.

Other proposed changes also looked for easier ways for drivers to complete paperwork. They would allow the Ministry of Transportation to serve a notice of intention to cancel the vehicle permit or driver's licence in a way other than mail, such as at a ServiceOntario counter. This amendment would ensure that drivers are more likely to be notified and can respond to the requirements before any licence cancellation would take place. This change will facilitate increased options for drivers and vehicle owners to receive notifications about their licence.

**1640**

But it was also to permit electronic correspondence relating to a commercial vehicle operator's registration. This will include accepting applications, renewals and client updates, as well as the ministry issuing notices, commercial vehicle operator certificates and account updates. That's a much more efficient way to be able to get these pieces of information in a more timely manner to the drivers.

I also just wanted to make note that this bill also reintroduces two minor items from Bill 31, the Making Ontario's Roads Safer Act, 2015, which would allow for short-term suspensions for drug-impaired driving to be calculated in the same way as those for drinking and driving. It would also remove the requirement that a municipal bylaw needs to be in place in order to facilitate installation of pedestrian crossovers on provincial highways, where appropriate.

I'm very supportive of this bill. It does a number of housekeeping items in a timely fashion, and I think we should have full support to have this bill go forward.

**The Deputy Speaker (Mr. Bas Balkissoon):** The Minister of the Environment and Climate Change.

**Hon. Glen R. Murray:** This may be one of the most boring pieces of legislation I have ever read—important but dull. I want to commend all my colleagues who are speaking to this today and who have, in some way, stayed awake. But these are all those important little things: improving how judges operate, cutting red tape and, as my friend from Cambridge said to me, making people's daily lives more interesting—no, not more interesting. More fun—no; just a little less of a hassle. A lot of this cuts through red tape.

My personal favourite in this is that our government has been very proud to have introduced same-sex

marriage—very important—and we have same-sex divorce now, and that could be because—I'm very pleased, as a gay person, that as a result of same-sex marriage, we can have the same sex over and over again, just like everybody else.

*Interjections.*

**Hon. Glen R. Murray:** Okay. I didn't get anyone's attention with my joke.

**The Deputy Speaker (Mr. Bas Balkissoon):** I think if you speak to the Speaker, you might do better.

**Hon. Glen R. Murray:** This speaks to the profound challenge I'm going to have in actually trying to keep people's attention on this important issue.

**The Deputy Speaker (Mr. Bas Balkissoon):** Just address the Speaker and you will have no problem.

**Hon. Glen R. Murray:** I will address the Speaker, Mr. Speaker, but you're not laughing at my jokes either, so I'm feeling a little helpless up here.

On a more serious note, one of the areas that is particularly important—the member from Thornhill was talking earlier about some of the slowness in getting infrastructure projects out. One of the things that we, as the government, have been trying to do is start to move to a more integrated regional transportation system with the Big Move and with an integrated fare system. An integrated fare system means that your Presto or TTC—you'll just be able to use the rails. It will cause efficiency, save money, integrate systems, allow people to truly be Ontarians and people who live in the region to not be trapped by having to pay costs on both. This allows the TTC and the city of Toronto and York region—it removes a lot of the barriers to integrating lines and moving services across municipal boundaries. That's terribly important and exciting.

Mr. Speaker, I just want to make one point. I notice that almost no one in the House is listening to me.

**Hon. Kevin Daniel Flynn:** I am.

*Interjections.*

**Hon. Glen R. Murray:** No, it's okay. I didn't listen to you when you were talking about this either, so I don't take it personally.

I just want to point out one thing here. This legislation: Since so many people have spoken to it, maybe we could quickly put it to the committee, Mr. Speaker, because as you are observing as you're looking out at us, there are not many people who are gripped with a passion for this legislation. Everyone who has spoken about this has spoken in favour of it. They've all pointed out the incredible minutiae and the goodness of this incredible minutiae. These are the things that we should just get on.

I notice that my friends in the New Democratic caucus are carrying on lovely conversations. I'm jealous, Mr. Speaker. Those are interesting people over there. I would like to join them in a conversation or maybe go out for a beer after. My colleagues in the Conservative Party are hard at work reading detailed manifestos—I'm sure they're planning for the next election—or having pleasant conversations, and all of my friendly Liberals are smiling and carrying on and would rather be out on the front lawn right now.

Maybe we could put this bill to committee, Mr. Speaker, and, if not, I just want to take a snapshot of the current mood in the House, that this is not attaching much controversy or difficulty. I know all of our political staff would actually like to do that. They would actually wish we would do this, but I see people on the other side doing that. Yes, they would actually wish that we would do this. I even see people on the other side doing that.

Mr. Speaker, I have to have permission of the House leaders to ask for unanimous consent and I have to try to get the attention of the House, which is almost impossible since neither of those things are happening.

I represent a very complex and interesting community, from quite affluent—my friend from Eglinton—Lawrence always says that it's important that we remember the perspective of our own communities. This is something, whether you are making real estate transactions in Rosedale on houses that many of us in this House can't afford, or it's simply for someone who lives in St. James-town or Cabbagetown or Corktown trying to get through the court process there. This is also important to people because it better connects all of our communities, from Eglinton—Lawrence to Toronto Centre to North York—God forbid even to Oakville and Halton.

Is anyone keeping count of how long I've been boring you to death?

**Ms. Soo Wong:** At least 10.

**Hon. Glen R. Murray:** At least 10?

**Ms. Soo Wong:** Yes.

**Hon. Glen R. Murray:** I have to do 10?

**Interjection:** Keep going.

**Hon. Glen R. Murray:** Keep going; 10, okay.

What else can I talk about in this bill? Oh, yes. This improves the duties of the senior advisory family judge of the court, a position created in 2012. This judge advises the Chief Justice on family matters—very, very important. The amendment was originally introduced in the Legislative Assembly as part of the 2013 Strengthening and Improving Government Act. I'm sure that resonates with you. You probably remember that moment in history as being somewhat seminal and pivotal.

**Mr. Mike Colle:** You've got about a minute.

**Hon. Glen R. Murray:** Okay, thank you.

Other proposed amendments to the Courts of Justice Act would clarify timelines for deputy judges to issue decisions after retirement. As these rules were only in place for judges, they would remove approval requirements for reappointment of certain judicial officials. Now, if you're a judge, this is a very important piece because it actually facilitates your retirement, and we have had complications with that: What is the pathway to retirement? What's the process? How do we manage this? This is something that I don't think is going to appear in anyone's election literature for reappointment, that we actually resolve some of the conflicts and difficulties with the retirement of judges. Again, it's incredibly mundane and boring but very, very important to good government and the functioning of good government.

Is there someone else speaking on our—



**Mr. Mike Colle:** Yes.

**Hon. Glen R. Murray:** There is someone. Okay. Do you know, Mr. Speaker, I will just close with this: My friend from St. Catharines is going to be speaking next. He has had more experience in this House. I just want to challenge him, since I couldn't even get a laugh to my joke, if he can try to get the attention of the House when he's speaking, because if he can't do it then I won't feel like such a complete failure because I pale in comparison to his experience in the House.

I will pass it over to my dear friend the Honourable James Bradley, member for St. Catharines.

**The Deputy Speaker (Mr. Bas Balkissoon):** To the Chair of Cabinet and Minister without Portfolio.

**Hon. James J. Bradley:** When I was a teacher I used to tell the students that you can't do two things at once. In other words, you always have to pay attention. But when I became a member of the Legislature, I realized that you can do two things at once. So they can be reading their BlackBerrys, reading papers, discussing things and listening to the debate at the same time. You may think they're not listening, but they are in rapt attention of what is happening in here.

The great thing about a bill like this is it allows you some latitude to speak about a number of things because it talks about traffic, and then you have a problem that you encounter from time to time. For instance, along Lakeshore Road in Toronto—and you've all probably done this. Along Lakeshore Road in Toronto, the traffic going out after a Jays game or a Leafs game or a soccer game or an Argos game, any one of those—the traffic lights are such that they block the flow of traffic. In other words, most of the traffic is going westward, some of it eastward, and they have the same lights on all day for the traffic that's crossing. So you will see the traffic sitting there stopped—and you'll remember this as a former municipal councillor—the traffic would be stopped and there are no cars coming this way, no vehicles.

1650

I hope that the message will get to the chair of the TTC, who happens to be on council and whose father is in this House, and to others that what you want to do is synchronize those lights in such a way that when the traffic demands it, the traffic continues to flow westward instead of being interrupted. That's what a good government bill has some influence on. That's a great problem I have encountered personally, and this bill allows that.

A lot of people think it's an omnibus bill. I remember that a former speaker one day referred to it as an ominous bill. Indeed, the bill of that day was an ominous bill, because it was the Harris government and it was a huge bill, Bill 26, that we called the bully bill at the time. This particular bill is not ominous at all. Omnibus it may be, but it has a lot of routine things that have to be done by government that are important to do.

Members have already talked about some of the things. For instance, you asked the question: How do the current rules for drinking and driving in Ontario reflect the new rules proposed for driving under the influence of

drugs? We have long recognized that drinking and driving can be a very big problem when people are intoxicated and driving. But more recently, attention has been turned to the consumption of drugs and driving, because they can impair. This bill deals with that as well.

The previous speaker talked about its effect on deputy judges, which is important.

Non-emergency stretcher transportation services: I think we all recognize that they're part of the transportation of patients, and this is non-emergency for the most part. But there have to be rules and regulations on that. We see amendments in part of this bill that will, in fact, regulate that. For instance, STS operators are going to be subject to inspection, audit and enforcement procedures applicable to commercial vehicles. We're going to require that hospitals and other facilities adopt leading practices for appropriately selecting between STS and ambulance services. One of them would be essentially non-emergency but necessary; and the other, emergency.

Those are the kinds of things we find in a bill of this kind. What I was looking for in here that I didn't find—you often say, "Well, if it's an omnibus bill, what is in here?" I say, "Is GO Transit to Niagara in here?" It's not in here, and I wondered why it is not in here. I couldn't find it. As you know, I have been a strong advocate for that for some period of time. I will continue to advocate for that, but it's not in this particular housekeeping bill, obviously because it is exceedingly important.

The fact that this bill affects municipalities and affects the provincial government is something we have to consider. I know Provincial Offences Act documents and the electronic cost of those. These are minor things, you would think, except that these are the kinds of things the individual in our society encounters on a daily basis.

So I like what this bill has done. It's going to strengthen pedestrian safety through the introduction of new pedestrian crossing devices for low-speed and low-volume roads—that is important—and seamlessly implement proposed driver's licence suspensions for drug-impaired driving, and that's going to be important.

So there are a number of new measures that have been taken which really—and this is part of it—have Ontario declared as, if not the safest every year, within the top three safest jurisdictions for roads. That's because governments over the years, of all political stripes—this government has been in since 2003, so there has been a lot done there. But those changes have been made that make the roads considerably safer, including our latest emphasis, for instance, on devices that people are using while driving, if they are trying to text, trying to talk on the phone or are distracted in one way or the other. I am pleased to see that that's addressed. When I was Minister of Transportation, we started that. At that time, you couldn't be on your cellphone and driving. That has seen changes since, which have increased the penalties, now including points that are taken off. You know, if you rack up those points, that's not very good for your driving record. The fines have been increased. And I think there's been increased enforcement, because it's recog-

nized today that distracted driving is causing almost as many accidents, fatal accidents, as impaired driving. Both, in a way, are a distraction. So I'm pleased to see that.

I'm glad to hear this bill has what appears to be a good consensus of support. It means that when legislation of this kind is before the House, it doesn't require lengthy debate. I'm one who believes when there is a contentious bill that is significant and has a profound impact on the province, that should get lengthy debate and committee time. A bill of this kind, it seems to me, can pass relatively quickly because there is a consensus of agreement on most—or in some cases, perhaps all—of the provisions of this bill.

May I say lastly, before I sit down, what a good job I think you've been doing in the Speaker's chair, Mr. Speaker, during this period of time, riveted as I know you are to the discussions taking place in the House?

**The Deputy Speaker (Mr. Bas Balkissoon):** Thank you. Questions and comments.

**Mr. Ted Arnott:** I want to express appreciation to the government members who have spoken this afternoon to this bill. I think all of us have a lot to contribute to legislation in this House, and certainly three government members, two of them experienced members of the cabinet, offering their thoughts and advice—and they were able to fill the 20 minutes, so that was impressive. I certainly look forward to participating in this debate later on; I think I'm the next one up for our party. I'm not going to take the full two minutes here, but I do want to express my appreciation to them for their comments on this bill this afternoon.

**The Deputy Speaker (Mr. Bas Balkissoon):** Questions and comments.

**Mr. Jagmeet Singh:** It's a pleasure again to rise and add some more input on this bill. I think that because of the nature of the bill, it offers a broad perspective. When we talk about strengthening and improving the bill, or the government, it gives us an opportunity to talk about a lot of things, and—

*Interjections.*

**Mr. Jagmeet Singh:** No, it's a broad topic, right? It's a lot of things that you can mention. It's the government and how can you strengthen and improve it—that's pretty broad. The beauty of this bill is, I think it would be very difficult for anyone to call anyone out of order because the title is so broad and the bill is so broad. You could talk about anything. We could talk about any issue.

One of the issues that I want to talk about now, because it's so broad, is that we look at the government to provide us with protections. So let's talk about consumer rights protection. In the Ministry of Consumer Services, the ministry has taken significant steps recently to improve consumer rights protection. One of the areas was around cellphones.

We've most recently spoken about the government's initiative to improve protection around condominiums. Now, in that—and it's something that I've raised and I want to raise again because it's so important to me—if

we're talking about consumer rights and we want to strengthen and improve the government, one of the most important aspects of home ownership, particularly if you're buying a new home, Mr. Speaker, and I think you know what I'm going to talk about, is the home warranty program.

Right now in Ontario, there is only one program. It's mandatory, you have to purchase it, and it's Tarion. The problem with Tarion is this: The layout of Tarion, the way it's organized—all of it seems to be favouring the construction industry and not the actual people that it purports to protect, the condominium owner. One of the issues that I really want to talk about is that if we want to have a strong home warranty program and a strong Tarion, it needs to be accountable. It needs to be accessible to the Ombudsman as well as the Auditor General.

**The Deputy Speaker (Mr. Bas Balkissoon):** Questions and comments? The member for Newmarket—Aurora.

**Mr. Chris Ballard:** Thank you, Mr. Speaker—one second.

I was getting a little too comfortable in that seat.

**The Deputy Speaker (Mr. Bas Balkissoon):** It's late Thursday.

**Mr. Chris Ballard:** It's late Thursday; exactly. What a show this has been. What an education for those of us who are relatively new to the House to hear some of the people with a bit more experience talk about all the exciting things that this bill will cover off. We know that this bill will modernize a whole bunch of legislation, including the kitchen sink, apparently, and a number of routine things. But Mr. Speaker, in looking at the briefing notes that I was provided with, I know that you don't have them and I know you probably have a number of questions.

1700

Mr. Speaker, you may ask: First of all, are we trying to hide anything in this omnibus bill? I can assure you that, no, we're trying to modernize processes and make the system easier to navigate through small, yet significant, amendments.

Mr. Speaker, you may ask: How much will this amendment about making Provincial Offences Act documents electronic cost? Well, I can tell you that the amendments do not have cost implications. They clear the way legally for POA courts to manage cases more efficiently. Municipalities run most POA courts, and so would bear any cost of additional modernization they choose to implement.

Mr. Speaker, you may carry on and ask: Are only some of these documents digital now? I would respond that some steps of the court process aren't digital. For example, when people challenge tickets that have been filed electronically, documents are printed out for the purposes of a court case and then scanned back into the system. This proposed amendment will allow courts to eliminate that step.

Just a few questions answered, Mr. Speaker.



**The Deputy Speaker (Mr. Bas Balkissoon):** Questions and comments?

**Mr. Michael Harris:** I'll be happy to lend my two minutes to this.

I was speaking to my colleague here about this bill. It is a fairly encompassing one that reaches several ministries.

The one that I'm probably most familiar with is actually when it comes to the Highway Traffic Act. In committee, Bill 31 was recently passed. Several of the items within Bill 31 were in bills put forward by my colleagues—Garfield Dunlop one of them, of course, and Norm Miller. We put forward several amendments that I think would strengthen Bill 31, Making Ontario's Roads Safer. Unfortunately, the government voted them down at every turn. They got so used to voting our ideas down that they in fact voted out a section of their own bill, if you can believe that. True story. They were so used to arbitrarily saying, "No, no, no," that when it came up to a section within their own bill, they voted it out. So it's actually now contained within this bill, An Act to strengthen and improve government by amending or repealing various Acts, Bill 85. That little piece that they voted out is actually included in this. So that's, I guess, where I'm best to speak on this one.

We talked earlier about—I know it falls under the Attorney General. We did have a discussion earlier on whether this includes or not the new restrictions of the Auditor General on reviewing commercials. We're seeing a lot of them on TV right now, especially with the federal election on, on a variety of issues. So it is.

But I will say that that specific piece where it pertains to the Highway Traffic Act was really just an error on the part of the government members within committee. I know it is a good learning lesson for them. I'm sure that the folks in the background made them well aware of that mistake, and that's why they've put it in this bill. Next time, we hope that they'll take some more of our suggestions, not get so used to voting "no" in committee and take a few of our ideas to actually strengthen other acts.

Thanks, Speaker, for my two minutes.

**The Deputy Speaker (Mr. Bas Balkissoon):** I will now return to the government. The minister without portfolio, you have two minutes for a response.

**Hon. James J. Bradley:** Thank you very much. The comments of all the members have been extremely relevant. Two minutes doesn't give them enough time to mention some things.

They would have mentioned, had they had the time, that there's a dedication service for the renaming of a portion of Highway 6 to the Jack Johnson Memorial Highway. This will take place on Friday, September 25, at 11 a.m. at the Legion hall in Mount Forest.

I have to say this because it's highway traffic; we're talking about the Highway Traffic Act. One of the people who was instrumental—and he would want to share this with others, but he certainly was instrumental—was the member for Wellington—Halton Hills. Before he got here,

he was known as Ted Arnott, and he worked for Jack Johnson, who was an esteemed member of this Legislature.

Jack was universally liked by all members of this House because of his approach. He was relatively non-partisan. There's always time for partisanship in here, but for Jack it was very little, and that's why he had friends in all parts of the House. He was also very dedicated to his constituency. The fact that he chose Ted Arnott, as he was known then, as a constituency assistant, is enough to tell you that he had extremely good judgment.

I did want to mention that. The member for Halton Hills, who I think is going to speak next, might even want to elaborate a bit. And you may show some latitude to him, because I think we can pay tribute to people who have served in this House in appropriate ways; and this initiative, which I give a lot of credit to the member for Wellington—Halton Hills for, is one that I think speaks well of all members of this Legislature. Although I can't be there personally for it, my heart will be there, and I have left some comments that will be with the member for Wellington—Halton Hills at that time. I thank you for indulging me in this particular commercial.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate.

**Mr. Ted Arnott:** Not a political campaign commercial, surely, but I want to thank the member for St. Catharines for his kind remarks.

Yes, we are looking forward to the dedication of the Jack Johnson Memorial Highway next Friday at the Mount Forest Legion. I want to express my appreciation to the members of the government for agreeing to recognize Mr. Johnson's service in that way. I must say that the Minister of Transportation was helpful. The Minister of Agriculture, Food and Rural Affairs was very helpful as well in terms of giving me advice. And I want to especially thank the municipalities in the county of Wellington, all of whom supported our suggestion that the Jack Johnson Memorial Highway was an appropriate tribute to a fine member of provincial Parliament who was here and represented Wellington, and before that Wellington—Dufferin—Peel, for some 15 years.

I would also add that the member for Perth—Wellington, Randy Pettapiece, is the co-sponsor of the suggestion. He will be there with us, and I know some of the other members of the House will be joining us that day. I think it's appropriate to remember Mr. Johnson but also to remember the type of member he was and the type of person he was. He was very thoughtful, very hard-working—cared immensely for his constituents. He was here for the people of his riding; he wasn't here for himself. He pursued his work here, motivated by a desire and a sincere concern for the people of his riding. He was an outstanding member of provincial Parliament, the type of member that over the years has been the backbone of this place. So, again, I express my appreciation to the member from St. Catharines for his kind words, as well as the government for supporting that initiative.

Speaking of strengthening and improving government by amending or appealing various acts, Bill 85, we had a

significant development today that was announced by Infrastructure Ontario and the Groves Memorial Community Hospital in Fergus. Members will know that for many years I have advocated for a new Groves Memorial Community Hospital in the community of Centre Wellington. Today, Infrastructure Ontario and Groves Memorial Community Hospital issued a request for qualifications—or, as we call it, an RFQ—for a consortium to design, build and finance a new hospital to replace the existing Groves Memorial Community Hospital in Fergus.

We are now given a time frame by the government that we expect to see the completion of the project by mid-2019 and that the new hospital would be located in the hamlet of Aboyne, between the communities of Fergus and Elora. What we are trying to do there, of course—the plan is to build an existing model of care that links traditional hospital-based acute care services with community-based services to: achieve an enhanced continuum of care; provide a framework to address future flexibility and changes in technology; provide facilities that meet infection prevention and control standards and reflect best practices and evidence-based design; and provide services within a model of care to accommodate projected needs-based demographic changes.

I know that the government has been very impressed with the approach of our local hospital officials, the support of the township of Centre Wellington, the county of Wellington, many of the local residents, the people who have worked so hard to generate support, the efforts of the foundation to raise money—considerable money has been raised in the local community, which I know the government was impressed by—and of course, the hospital staff and the many volunteers.

It's an incredible success story in health care in our community. We have everybody involved working together in a constructive way. I have often argued that the government's effort in terms of the local health integration networks to bring down the silos in health care and get people working together instead of protecting their turf, to get them focused on the patients. That's what we've been doing in our riding for many, many years. We didn't need the provincial government to enforce it. That's just the way health care has been delivered for many, many years in my community, and we are very proud of everyone who has been involved.

1710

We are also aware that the RFQ is the first step in the process to select a team to deliver the project. Submissions will be reviewed to shortlist project teams with the design and construction experience, as well as the qualified personnel and financial capacity, to deliver a project of this size and complexity. Shortlisted teams will then be invited to respond to a request for proposals, expected to be released as early as the middle of next year, Mr. Speaker.

This project will be built as an alternate financing and procurement, or AFP, delivery model—we call it private-public sector partnership—that transfers risks associated

with designing, constructing and financing a building to the private sector.

Of course, I am supportive of this project, as I said earlier, but I would acknowledge the role of others, obviously, towards getting us to this positive next step, which is good news for our community.

I have many times thanked the former Minister of Health, Deb Matthews, who now serves as the Treasury Board president. She was the Minister of Health who gave us the approval, with support from a number of the government members, including the member for Guelph, Liz Sandals, and the previous member for Perth-Wellington, John Wilkinson, who I worked with to try to get this approval, which—coincidentally, I think—was granted and the announcement made just before the 2011 provincial election. We were part of a spate of hospital announcements. I was very pleased.

I think I've said this publicly, but I want to especially thank an individual who worked in the minister's office at that time: Shawn Kerr. I don't think he currently works with the government. He was very helpful, and I know his role was significant in terms of giving us that approval.

Today, I spoke to the Minister of Infrastructure and thanked him for the role of Infrastructure Ontario in getting us to this next step. It's good news for our community, and I want to express my thanks to the government.

Of course, we see Bill 85 opening a significant number of acts: the Courts of Justice Act, the Family Law Act, the Provincial Offences Act, the Vital Statistics Act, the Commitment to the Future of Medicare Act, the Employment Standards Act, the Occupational Health and Safety Act, the Registered Human Resources Professionals Act, the City of Brantford Act, the City of Hamilton Act, the City of Toronto Act, the Municipal Act, the Ontario College of Trades and Apprenticeship Act, the Ontario Colleges of Applied Arts and Technology Act and the Highway Traffic Act.

This is one of those infamous omnibus bills, but I think it's fair to say that many of the amendments that the government is proposing in Bill 85 would be best characterized, perhaps, as housekeeping amendments.

It was previously introduced in this Legislature, I understand—or most of it—as Bill 151, which at that time was called the Strengthening and Improving Government Act, 2013, but it died on the order paper when the Legislature was dissolved because the New Democrats announced that they weren't going to be supporting the budget motion. The Premier decided to dissolve the House, going to the Lieutenant Governor to seek a dissolution, triggering the 2014 provincial election.

Bill 85 contains additional amendments, over and above what was included in Bill 151. Bill 85, as I said, affects a significant number of acts, opening up 15 different acts involving eight ministries. The amendments proposed in Bill 85 fulfill commitments and remove redundant legislation. This is what we're told.

The bill is standing in the name of the Attorney General. I've got a bit of time left, Mr. Speaker. It gives



me, perhaps, an opportunity to talk about an important issue with respect to the provision of justice in our community in Halton region, in particular.

Some time ago, I was informed of the need for a new courthouse in Halton region. I was approached by a lawyer who previously had been a crown attorney in the province of Ontario but now works as a criminal lawyer in Halton region. He has seen the justice system from both sides. I have a high regard for him. His name is Paul Stunt. He came to me to inform me that there was a need for a new courthouse. What I did initially was to indicate an interest in touring the courthouse, and I suggested that he invite all of the Halton-area MPPs to come together so that we could tour it together. We tried to do that. In the end, there were two tours. I was able to tour by myself, and then the other Halton-area MPPs, including the Minister of Labour, the member for Halton and the member for Burlington, on a subsequent occasion toured the existing court facilities. They were able to see for themselves the deficiencies in the existing courthouse facilities.

Since that time, we've made an effort to try to work together across party lines, to advocate together for a new courthouse. Just a few days ago, we had a meeting with the Attorney General before the House resumed sitting. I think there were representatives from all of the area MPPs, the ones who couldn't attend. I know I was pleased to be there with the member for Halton, and the member for Burlington was in on a conference call, so she could hear the discussion.

We did meet with the Attorney General to continue to advocate for the need for a new court facility. It was a good meeting. I was very impressed with the Attorney General's willingness to listen and her suggestion to us that a new Halton courthouse was in fact a high priority of the government.

My hope is that when funding for new justice-related infrastructure is allocated by the government—and we would hope and we would expect and anticipate and request, really, the Minister of Finance, in the upcoming provincial budget, which we're already starting to ramp up towards—in fact, the ministries, I'm sure, at this time will be in the process of developing their proposals that will go into the mill for the consideration of the Ministry of Finance. Without question, I'm certain that the Attorney General—the Ministry of the Attorney General—will be submitting a proposal indicating the need for new court facilities and perhaps other new justice infrastructure projects. But we do need a new courthouse in Halton region.

I've also worked closely with the regional chair of Halton, Gary Carr, who all of us know. Many of us served with Gary Carr. He served as a member for Oakville for many years—Oakville South, I think, initially. I was his seatmate for nine years, so we became good friends. Then, of course, he became the Speaker of the Ontario Legislature and was a very fair and effective Speaker. He is now the regional chair of Halton region. He does an outstanding job. He and other members of regional council have made this a priority too.

We're trying to get progress on this. I suggest to people in my riding that, obviously, as a member of the opposition, I have an obligation and a responsibility to attempt to hold the government to account, but at the same time, I want to do good things for my community and advocate for the needed projects. I spend a lot of time on that. The fact is, I believe we need to reach across the partisan differences that we have and try to work together on behalf of our communities. Certainly, that's what we're trying to do in Halton region, and I hope that the government takes note of that and that, in fact, the government sees that we are working together in a non-partisan way, and that they recognize there is a need. Again, I would submit and request to the Minister of Finance that he take a greater degree of interest in this and support the Attorney General and others in the Ministry of the Attorney General who see the need for new court facilities in Halton region.

Now, getting back to the specifics of the bill, we know that Bill 85 amends the Courts of Justice Act to include federal legislation—the Civil Marriage Act; the Family Homes on Reserves and Matrimonial Interests or Rights Act—to the list of statutes which the Family Court and Family Rules Committee have jurisdiction over.

I'm told this will clarify court processes for non-resident same-sex spouses and First Nations matrimonial real property laws. In addition, it would allow future federal family legislation to be added to the Family Court's and rules committee's jurisdiction through regulation. This comes under the Attorney General, Mr. Speaker.

Bill 85 also amends the act by setting out the duties of the senior advisory family justice of the Ontario Court of Justice. This judge advises the Chief Justice on family matters.

Schedule 1, if passed, would remove the requirement for a recommendation of the minister from the process of reappointing a case management master who has reached the age of 65. This change is a result of the current provision being deemed unconstitutional. Of course, if it has been found to be unconstitutional by the court, obviously, the legislation has to be changed accordingly.

It would allow deputy judges 90 days after they retire to complete outstanding decisions. The French version of the Courts of Justice Act is amended to resolve minor translation issues. The Family Law Act is amended to require parents who use the new court administrative child support calculation service to provide the same financial disclosure obligations as parents who obtain a child support order through a Family Court.

1720

We know that the Provincial Offences Act is also amended by this bill, Bill 85, to allow municipalities to establish an end-to-end electronic court records system for the provincial offences court.

Schedule 2 of the bill, which comes under the Ministry of Government and Consumer Services, I believe: Currently, under the Vital Statistics Act, certificates bear the signature of both the registrar general and the deputy

registrar general. When these individuals vacate their positions or no longer hold public office, certificate stock on which their signatures are reproduced can no longer be used. This proposed amendment would allow the remaining stock to be used even if the registrar general or deputy registrar general were to leave office.

Schedule 3 makes reference to the Ministry of Health and Long-Term Care. Schedule 3 of Bill 85 provides for a liability exemption for the Ontario Medical Association. The Commitment to the Future of Medicare Act would be amended to align with the 2012 physician services agreement between the province and the Ontario Medical Association. It would provide immunity for representatives of the Ontario Medical Association, including directors and staff, but not the association itself. In fact, individuals will be restricted—

**Mr. Tim Hudak:** Not the association.

**Mr. Ted Arnott:** Not the association, yes. Individuals will be restricted from pursuing civil action regarding agreements between the OMA and the Ministry of Health and Long-Term Care in the following situations: including insured services under the plan, or as we often refer to it, OHIP; amounts payable under the plan in respect to the rendering of insured services to insured persons; and amounts payable to physicians by the ministry or the crown.

Individuals are restricted from pursuing civil action regarding any recommendation made to the Ministry of Health and Long-Term Care or the crown concerning anything related to insured services under the plan, amounts payable under the plan in respect to rendering of insured services to insured persons and amounts payable to physicians by the ministry or the crown. This would prevent legal action against the representatives for acts done in good faith during negotiations with the government related to physicians' agreements or payments, such as agreements that contain fee changes for certain physician groups.

I am running out of time, but I think it's important, again, to discuss the fiscal and financial context in the province of Ontario upon which this legislation is being introduced and being debated.

Of course, we are anticipating eagerly the fall economic update of the provincial government, which we would expect would be forthcoming in the coming weeks. The government, hopefully, will soon let us know when that important budgetary statement will be offered to the House, but at the same time we would anticipate and expect, based on the past record of this government, that some of the details may in fact leak out before the presentation in the Legislature.

So I go back to the provincial budget that was presented in the spring, and I, of course, want to talk about some of the key numbers. If we look at the deficit that was projected in the provincial budget this spring, the provincial government projects an \$8.5-billion deficit. That's a shortfall in terms of the revenue that comes into the treasury relative to the expenses that the government is pursuing. That deficit, in fact, is down marginally from

last year. Last year, it was \$10.9 billion. So there is some modest progress in terms of deficit reduction, and I would be prepared to acknowledge that.

The government is continuing to maintain that it is committed to balancing the budget by 2017-18. They're going to have to make significant progress on the deficit number in this upcoming provincial budget if there's going to be any sense of confidence that, in fact, that goal of a balanced budget by 2017-18 is going to be achieved. In fact, we see a deficit that is still holding at \$8.5 billion, which is a massive deficit by any measure.

We see that the provincial net debt is going to be very close to \$300 billion at the end of this fiscal year. The number that they have put in the budget is \$298.9 billion. That's up \$14.7 billion year over year—an absolutely massive increase in the provincial debt. It's something that, unfortunately, wasn't well covered by the media in the presentation of the budget and in the aftermath, but the fact is that the provincial net debt went up almost \$15 billion this year alone as a result of this government's expenditure patterns and their inability to control spending.

If you look at the overall projected expenditures this year, it's \$131.9 billion that they're planning to spend; again, spending is up year over year, \$2.4 billion more being spent this year than last year. Last year the number was \$129.5 billion.

The net debt per capita, that important number which, in effect, is the amount that each of us owes because of years and years of provincial overspending—every man, woman and child is on the hook for this amount of money—is \$21,642 per person, up \$870 from last year.

The debt-to-GDP ratio has gone up dramatically again this year. This is an important indicator of the government's and the province's ability to service its debt. The debt-to-GDP ratio—gross domestic product ratio—is 39.8%, up from 39.4% last year. Just to put that number into perspective, it was 26.2% before the recession in 2007-08.

Mr. Speaker, I've run out of time, but I thank you very, very much for your indulgence this afternoon. I appreciate the interest of the members as well.

**The Deputy Speaker (Mr. Bas Balkissoon):** Questions and comments?

**Ms. Jennifer K. French:** I appreciate hearing the debate and thoughtful input from my colleagues around the Legislature. I'm glad to have the opportunity to share a real example of the important work that we need to do. We are here today talking about ways to strengthen and improve government.

Speaker, you will remember that in February, firefighter hopeful Adam Brunt died tragically during a private fire safety training accident. We found out today that the police have completed their investigation. So what happens now? Gary Kendall and Adam Brunt were two men who died under similar training circumstances five years apart. The families of Gary Kendall and Adam Brunt came to Queen's Park to pursue inquests and to ask this government to address this unregulated industry, this



safety loophole. People should not die in loopholes. We have identified one that continues to exist and one that will surely come up again and might result in another tragedy. We are not willing to wait for someone else to die.

We have the opportunity to focus on a private industry without oversight. We have the opportunity to work together to find a solution. We have the opportunity to strengthen and improve government. Will the government work with us, with the families, with training experts and with the appropriate ministries to solve an identified problem in the interests of improving safety training?

Students who dream of becoming firefighters and who have hopes of making communities safer for others deserve to be safe. Whether these students and trainees understand or not, their lives will continue to be put at unnecessary risk until changes are made. Adam died in training before he could live the dream of becoming a firefighter. No one should die in training.

So again today, we call on the government to consult with experts, stakeholders and the families of the victims to ensure that firefighting students are afforded the protections they deserve. Let's actually do something positive to strengthen and improve government and the lives of real people together and not just debate it.

**The Deputy Speaker (Mr. Bas Balkissoon):** The member for Scarborough—Agincourt.

**Ms. Soo Wong:** I'm pleased this afternoon to speak in support of Bill 85. I listened attentively to the member from Wellington—Halton Hills. I want to say thank you so much for acknowledging the good work of our government, especially the numerous ministers he acknowledged, in terms of building the new health facilities. But also he was elaborating on all the different ministries working collaboratively to have this new health centre built in his riding of Wellington—Halton Hills. I'm sure the member opposite will probably support what the government is doing in terms of the 10-year plan in infrastructure. I was very, very pleased to hear the member talking about supporting the government's work on infrastructure capital activities.

I am very, very pleased to support Bill 85 on a number of issues. Number one, as a member from the city of Toronto, the great riding of Scarborough—Agincourt, the proposed legislation, if passed, will amend portions of the City of Toronto Act, 2006. There are two parts to the amendment. First, it will increase government efficiency and streamline the notice requirements by redirecting the notice to the Minister of Finance, who actually will have a primary interest in monitoring the integrity of the tax base for school purposes. But the second part of the amendment that is very, very important, especially in my riding, is that the proposed change will make it easier for the Toronto Transit Commission, better known as the TTC, to expand service to York region and other neighbouring municipalities, adjusting the provisions of the act. For example, many of my constituents are going further east, to the University of Ontario, to go to post-

secondary. Furthermore, constituents are going over to Durham for work-related purposes. By having this amendment, it would allow a smooth transit flow across the greater Toronto area.

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**The Deputy Speaker (Mr. Bas Balkissoon):** Questions and comments?

**Mr. Michael Harris:** I'd like to lend my two minutes to my colleague from Wellington—Halton Hills' comments on this particular subject.

I want to first off commend the government, obviously, on the naming of Highway 6 in memory of the late Jack Johnson, former MPP. I was actually born and raised right beside Jack Johnson. I had the opportunity to grow up right beside him and to speak to him on several occasions, even leading up to my own election win. I'll be participating with my colleague from Wellington—Halton Hills next Friday, and I very much look forward to doing that. Mount Forest is where I grew up and was raised, and I look forward to going back next week.

I want to again expand on and highlight some of the comments that my colleagues made surrounding our fiscal situation here in the province of Ontario. It's an extremely dire situation. He talked about the projected provincial net debt of \$298.9 billion. That is significant. I talk to folks all the time. I remind them that our annual interest payment, around \$12 billion, is the third-largest spending commitment in Ontario. That's approximately what we spend already on colleges and universities in the province of Ontario. Can you only imagine what we could do to invest in roads and infrastructure, education and health care with \$12 billion a year? But instead, we're spending it offshore for those creditors taking our debt.

I couldn't help but notice the net debt per capita is \$21,642. I know my family is at home watching. We just had a daughter on August 4. Her name is Rosie. Before Rosie had one of her first few breaths, she owed \$21,000, and that's in large part because of the reckless spending of the Liberal government here in Ontario.

I can't mention Rosie without mentioning Lincoln, Murphy and Brayden. I know they're all watching, so I'll be home after this all concludes and we'll be able to talk more about net debt and the financial situation of Ontario.

**The Deputy Speaker (Mr. Bas Balkissoon):** Questions and comments?

**Mr. Peter Tabuns:** It's a pleasure to rise in the chamber following the speech by the member from Wellington—Halton Hills.

Speaker, we've had a fair amount of opportunity to comment on this bill. My colleague Jagmeet Singh previously addressed this bill. I want to go back to some of the points that he raised, because he talked about the sections in this bill that deal with the Ministry of Labour, and he talked about the potential for these changes to bring some incremental benefit to the ministry. But more importantly, he noted that with the lack of enforcement currently out there, no matter how much you improved

the bill, you wouldn't actually be making the difference that people need to have made.

There isn't enough enforcement, so consequently, there isn't compliance with the existing act. There are a number of protections that are included in employment standards that are supposed to be administered by the Minister of Labour, but many of those protections become meaningless when there is no enforcement. To ensure that there's proper enforcement, the Ministry of Labour needs to have adequate staffing. Unfortunately, this bill doesn't address that matter.

We can pass as many laws as we want. If the budget dollars aren't there for the enforcement programs so that the existing laws are enforced, then piling new laws on top isn't going to make much of a difference.

I have to note something that Mr. Singh brought up previously, and certainly I've seen in my own riding—

**The Deputy Speaker (Mr. Bas Balkissoon):** I would remind the member that this is the second time you have referred to a member of this Legislature by name. I think we'll raise the debate if we stick to the rules.

**Mr. Peter Tabuns:** My apologies, Speaker. Thank you for that timely and helpful reminder.

The member from Bramalea–Gore–Malton: One of the issues he raised previously was that of people in precarious employment. Certainly that's an issue that this assembly needs to address.

**The Deputy Speaker (Mr. Bas Balkissoon):** I will now return to the member for Wellington–Halton Hills for a two-minute response.

**Mr. Ted Arnott:** I express my appreciation to the members who responded to my remarks this afternoon.

I would return again to the importance of the need for a new courthouse and new court facilities in Halton region. I issued a news release on November 7, 2014, talking about the need. I discussed it with a number of people, obviously, but I was very pleased that in response to this news release on November 7, I received a letter. I think I need to keep the person's name out of the public record and protect their anonymity, but the letter I received is as follows: "I was delighted to see a copy of MPP Ted Arnott's press release dated November 7, 2014, calling upon the provincial government to move forward with the construction of a new courthouse facility in Halton county and wanted to share it with you in the event you had not seen it."

The person goes on: "Since you are most familiar with the courthouse, you know well that it suffers from numerous and significant deficiencies. As I referenced in my address at..." a previous ceremony, "the situation in the Milton courthouse is desperate, deplorable and grave. It requires an immediate, major capital investment as an urgent priority of this government. There are insufficient courtrooms and chambers for judges; as a result, matters must often be rescheduled to other court centres, where possible. The neighbouring court locations in Brampton and Orangeville are equally pressed and can no longer serve as 'overflow' courthouses for the busy dockets in Milton. There are risks, virtually every week, of success-

ful Askov applications being brought. Courtrooms are poorly equipped, with poor sound quality. On occasion, criminal jury trials in Milton need to be adjourned because of sound interference from adjacent courtrooms.

"There is no accommodation, whatsoever, for jurors in Milton. When jury panels are called (a regular occurrence in Milton), potential jurors must sit in stairwells or roam the corridors until they can be sufficiently accommodated in a courtroom."

I have to stop now because the time is up, but I want to assure the government that I'm going to continue to raise this issue until it's resolved.

**The Deputy Speaker (Mr. Bas Balkissoon):** Further debate.

*Interjections.*

**Ms. Jennifer K. French:** Thank you, Speaker, and thank you for the applause.

As always, it is my privilege to join in the debate on behalf of the people of Oshawa. It's another important and meaningful opportunity for me to stand in this Legislature and speak to what I had hoped would be an important and meaningful bill.

Bill 85 is called An Act to strengthen and improve government, as we've heard. You know what? This isn't an opportunity that will come along very often, I don't imagine. What is in this bill? Is it full of timely and necessary improvements and ways to strengthen our health care system? It is a brand new, fairly funded education system laid out in detail? No, no, it is not.

Mr. Speaker, if you are wondering if it is finally the details that people, real people, are asking about when it comes to the new Ontario Retirement Pension Plan, it isn't that either. It does not outline a fair way for our families to access dental care or find doctors, but perhaps we should look more closely at the bill.

A bill tasked with strengthening and improving government should address safety and security in our communities, whether in our correction system or our long-term-care facilities, but alas, it does not.

When I was slotted to speak to this bill, I was really looking forward to discussing ways to strengthen and improve government. Mr. Speaker, something you may not have known, but before being elected I spent a fair bit of time imagining ways that the government could improve. I used to sit with my neighbour, actually in our backyards, lamenting all of the ways that the government was targeting ordinary folks in the province and imagining ways that situations could be improved or bettered.

So here I stand in this proud Legislature with the opportunity to speak on Bill 85, An Act to strengthen and improve government by amending or repealing various Acts. There is nothing interesting or involving in this bill.

**Interjection:** Oh, come on. How can you say that?

**Ms. Jennifer K. French:** The truth hurts, Mr. Speaker. But you've also heard over and over that this is a housekeeping bill. It's a housekeeping bill—

*Interjections.*

**The Deputy Speaker (Mr. Bas Balkissoon):** Order.



**Ms. Jennifer K. French:**—necessary, with bits and snippets, updates and fine-tuning that make a bit of difference across various acts. Update a word here, smooth something out there; fine and absolutely necessary. But as my colleague from Bramalea-Gore-Malton suggested yesterday—not yesterday; the other day—if the bill were called the bill to address some minor housekeeping measures, it would be accurate and there would really be no issue. As it stands, it is not interesting enough to debate on its own merits, but when we think about the title, Mr. Speaker—an act to strengthen and improve government—we could talk all day, couldn't we?

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In fact, there are so many ways to improve government that I just couldn't choose where to begin; so I didn't. I actually let my constituents' letters and emails decide and steer where this speech was going to go. I decided to bring a stack of letters and ideas from my constituents.

My constituents, like many others, have wonderful opinions; they have insights, suggestions, concerns and recommendations. Since the government seemed to come up short on ideas and ways to actually strengthen and improve government, I am pleased to share some of those ideas from Oshawa to support the stated purpose of this bill.

Let's talk about what is in the bill and then what is in the title. This is a flimsy omnibus bill full of tidbits and unrelated changes that could have appeared as minor schedules in a budget bill, affecting 14 different acts. It was introduced last session as Bill 151, which we've heard, and now we see it with a few updates. We've heard it today affectionately referred to as the "kitchen sink bill."

Schedule 1 amends the Courts of Justice Act and adds proceedings under the Civil Marriage Act to the list of proceedings that are within the jurisdiction of the Family Court. Among other things, it also creates a senior advisory family judge. This would be a position that will instruct the Chief Justice on matters pertinent to family law. Other changes bring the province in line with federal law around the Family Homes on Reserves and Matrimonial Interests or Rights Act (Canada)—housekeeping.

Here is a bit that isn't housekeeping. I thought that since this bill purports to strengthen and improve government, specifically when it comes to family law and Family Courts, I thought I would share part of a letter from one of my constituents on this very subject. From this letter from Rory: "I am totally committed to reforming the Family Court system, including the children's aid society, Office of the Children's Lawyer and the Family Responsibility Office.

"I do understand the magnitude of this objective. However, I do believe it is possible, and I strongly believe it is long overdue. My commitment over the past several years has demonstrated my resolve and my ability to achieve results....

"I am confident that ... we will be able to save countless children and families from the devastating and destructive system calling itself Family Court.

"Over the years, I have been contacted by many people who have had their lives destroyed, and the lives of their children damaged to an extreme, by Family Court....

"It is not easy to take on the system ... I have been lied to, threatened, intimidated, driven to the edge of bankruptcy and have had people, at high levels, demand that I stop what I was doing or they would take my children. This must stop...."

Mr. Speaker, those are fairly compelling words, and this is a letter from one of my constituents. If anyone on the government side would like to connect with him, please let us know.

This is one letter, as I said, from an individual who has been struggling with a particular system for years, and who would be more than happy to help the government navigate its own system and hopefully strengthen and improve it.

I would also like to share ways to strengthen and improve government, especially when it comes to family law. I will preface this with a little background: When I was taking one of my education law courses—no, I'm not a lawyer, but I took a course—my professor was a very knowledgeable and sitting judge in Toronto. He had worked for the bulk of his career in Family Court and, as you can imagine, had wonderful insight and understanding of the system. I asked him what the most important thing to change would be and he immediately focused on the gap for youth between 16 and 18. This is a time of limbo for many youth without options.

Mr. Speaker, you may recall that earlier this session this House carried the Right to Care Act, which we passed in March 2015 after being brought to the Legislature first by former member Rod Jackson and then by the member from Stormont-Dundas-South Glengarry. The bill is currently somewhere in limbo, like our youth; only it's in limbo in the Standing Committee on Social Policy. Our youth are still stuck in a real system with no supports.

I would like to remind the government and that committee that the youth who fall into the gaps between 16 and 18, who find themselves in need of services and support, are left to fend for themselves, no longer protected as children and not yet eligible for adult services. We do not adequately support our province's children in the 16-to-18-year age gap.

The Canadian Foundation for Children, Youth and the Law's operating arm, Justice for Children and Youth, is an organization that promotes and defends the rights and dignity of young people. I will quote them in regard to the situation: "Many of the young people who seek the assistance of Justice for Children and Youth are ineligible for child protection services simply on the basis of their age." "Youth needing care ... after they turn 16 are left with few choices to sustain their safety and security, often leaving them with no option but the shelter system or the streets."

Here is a way to strengthen and improve government, a way that has already been suggested and carried

through the House, and our children are still waiting. One way to strengthen and improve government is to prioritize substantial and meaningful legislation and not to let solutions collect dust on Liberal shelves.

But let's get back to the bill. Schedule 2 deals with provisions of the Vital Statistics Act. Schedule 3 amends the Commitment to the Future of Medicare Act. Well, there's an area of focus. Let's talk about our commitment to the future of health and medicare. All we seem to see and feel are cuts. While this government may give with one hand, they take away with the other. We need to be strengthening and improving our whole system, not just bits and parts. I had a long and honest conversation with a constituent in my riding named Susie. I'm glad to have the opportunity to share some of her ideas with you on health and care, social services and aging in this province.

"When it comes to long-term care, CCAC needs to be revamped and be less confusing for families. For my parents, we had to fight to keep my parents together. Every time we'd call in, we'd get a different worker, and when we were having family meetings, it was new workers, and you would be telling the whole thing all over again. It was all very frustrating and confusing. To imagine having to put a spouse into long-term care must just be overwhelming.

"When my family dealt with CCAC, it was a ... nightmare. Every time, we had to talk to someone different. The whole system needs to be revamped. It's just so" darn "confusing. Trying to navigate the system as an English-speaking person is hard enough, forget it if you are an elderly person with a bit of a language barrier."

She continues making suggestions on ways to strengthen and improve government. She continues with, "I'm sorry but the government needs to spend money on health care. All the cuts to hospitals, nurses, beds. It's destroying health care.

"Also, everything needs to be increased for seniors. I am on ODSP. When I hit 65 and I get cut off of ODSP, then what happens? When we turn 65, we are supposed to be on OAS, but now that's 67. So what happens? How do people get and take their medications?

"People are making the choice to take half of their dosage to cut their medication costs so they can pay rent or buy food. I can't even think about it yet. I'm just praying that by the time I get to that age, we will have a government that will bring the age back down to 65. Tom Mulcair said one of the first things he'll do is bring the age back to 65.

"I also pray that I will be able to age with dignity. The women who work in my mom's nursing home, they're run off their feet. They just don't have the time. There aren't enough staff. They don't have what they need. That's even in the government-funded homes. There is never enough. They need more beds. The other day, I met a woman whose husband is stuck in the hospital waiting for a bed. After a few months, the family has to start paying if they don't have insurance."

There are real people with real challenges living real lives outside of the political bubble here at Queen's Park.

To spend the time on a bill, when what it accomplishes can be done efficiently in minor schedules in a more substantial bill, is a waste. This government pretends that it spends time debating bills, but they just ram them through without substantive and honest input from our communities. And now this bill—housekeeping—is taking up legitimate debate time. To that point, we have some legitimate debate time left on the clock, and I am pleased to be able to bring those voices from our communities.

I have more ideas to share about strengthening and improving government. I'm hearkening back to the title of the bill. Despite the fact that the government may not be interested in listening to all Ontarians, I have a few more lined up. Before we move away from schedule 3 and the government's attempt to strengthen and improve health and medicare, I would like to share a letter from Diane, a concerned and frustrated parent in my riding in regard to the Children in Need of Treatment Program, or CINOT, which is the dental program.

"Dear Premier Wynne:

"I am writing to you today about something that is my number one priority in life—my children, in particular, my now eight-year-old son.... I am a single mother of two darlings. I not only hold a demanding full-time job of 40-plus hours per week, I also work another part-time job on Saturdays. I work hard to provide for my children and I still struggle some months to make it all work. Tell me Premier, have you ever stood staring at your grocery store cart and wondered if you had enough money to purchase your groceries?

"My son's school was fortunate enough to have a dental hygienist attend the school to conduct a quick peek at his teeth. At that time, it was brought to my attention ... that" he "was in dire need of dental treatment....

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"Both myself and" his "dad pay for dental benefits through our respective employers—my benefit plan costs over \$120 a month. With such extensive and costly dental work required, the dentist forwarded an estimate to both of our insurance companies. The estimate was returned at approximately \$2,700 for the procedure required, with our combined benefits covering \$2,000.

"When I called the oral health department to inquire about financial assistance through CINOT"—again, the Children in Need of Treatment Program—"for only the balance of approximately \$700, I was advised that I did not qualify!!! How is that fair, I asked myself. I work hard, I am not a financial burden on the government, I pay my taxes.... What is wrong with this program!!!!...

"I felt betrayed and angered that the criteria for this program even existed....

"Do politicians and executives who don't have money troubles sit in a boardroom and determine the criteria for such programs? It is just wrong that all children are not treated equal in the province of Ontario through this program. I do have an income, I do have insurance; however, this was a financial struggle for me and I had to borrow money to make sure" his "procedure was com-



pleted and I had to borrow money at an outrageous interest rate.... I am still angered by this and I am determined that the program guidelines need to be revisited to allow all parents a form of assistance ... just because we have a job and benefits sure doesn't mean that we can afford this without causing ourselves financial stress." That's from Diane.

While we've still got time to talk about health care and dental, here's a quick letter from Donna from my riding.

"Good day, Miss French.

"I'm writing to you today about dental care in our province. I was one of the lucky ones growing up that had dental care because my father was a firefighter here in Oshawa. Now as an adult working for minimum wage, going to the dentist is something I simply cannot afford. I like many people try to do everything I can to help keep my teeth healthy, but home care is not enough. Any dental professional would agree with me that dental care is crucial to the overall health of Ontarians. Then why are so many of us unable to get the dental care we need? There are programs in place for children but we need a more comprehensive program for adults in low-income homes. Programs like at our own Durham College where people can get cleanings by dental students at a reduced price. Or a clinic in Whitby offering a free dental day offering extractions, cleanings or fillings. Alas, it is so sad that people in our communities will be lining up around this clinic like people waiting at an Apple store for the latest cellphone to have their teeth pulled! It is a shame that our health care system is failing people in many ways.

"I have faith in the system. I hope that your caucus will" tackle "this problem ... and help us face the world with healthy smiles." That's from Donna from Oshawa.

I appreciate these letters, and I hope that my colleagues in this Legislature also appreciate hearing real stories because there are suggestions and solutions waiting to be found out there. Let's tap into some of those.

Mr. Speaker, we could spend all day talking about the ways we need to strengthen and improve health care in this province, but I am going to move on to some of the other housekeeping measures in this bill.

Schedule 4 mostly aligns the Ministry of Labour with tribunal rulings.

Schedule 5 repeals the City of Brantford Act and the City of Hamilton Act, and amends the City of Toronto Act and amends the Municipal Act allowing the region of Waterloo to pass bylaws regulating lands for commercial and industrial use.

Schedule 6 updates the Ontario College of Trades and Apprenticeship Act, 2009, to cite the Public Inquiries Act, 2009—housekeeping.

But since the government brought it up, I'd like to actually refer back to my friend Susie and her perspective on this:

"One suggestion for unemployment and youth comes from when I was graduating back in 1980. You could take a skill like nursing or the trades and they would pay

your course if you signed an agreement to work for five years in the province of Ontario. Why can't the government focus on the trades? They don't have the young people they will need to replace this generation of tradespeople. With all the unemployment with youth, why aren't they offering programs? Why aren't they ensuring that there are jobs?

"They got rid of Vanier high school in Oshawa long ago. It was a trades school. Students did really well with the hands-on learning there. Not everyone is cut out for learning from books. Well, Harris closed it. If Vanier was still around, students would have an option. I went to school with a friend who took welding and after graduation he got his ticket and became a welder. He got a job at GM as a welder. He's retired now, but he is still needed to do contract work because there aren't enough young welders. Now they are wanting to close Oshawa Central Collegiate Institute. What options will kids have then?"

Mr. Speaker, do you know how cutting a school that is in the heart of the south-end community will somehow strengthen or improve matters for us in Oshawa?

The government is talking a lot about creating hubs which would strengthen and improve our communities. Well, Oshawa Central Collegiate Institute is already a functioning hub with a long history and an optimistic future, but our school boards are so strapped they are having to de-hub communities. How sad. If this government succeeds in closing Central as part of their cut parade, south Oshawa is not going to recover from the loss. Their students can't afford the bus to get to the next-closest school and they would have to leave hours earlier to get there, should they walk, which many students are not going to be likely to do. Central is one of their homes. This is not how we strengthen and improve; this is how we diminish and weaken: cut, cut, cut.

Schedule 7 creates a stretcher transportation services section of the highway act. Additionally, it would change how the Ministry of Transportation can notify of vehicle suspensions to include means other than by mail—for example, at ServiceOntario counters.

I'm so glad that the government brought up ServiceOntario. It just so happens that I have another letter. This is from Maralyn in my community.

"I wish to voice concern regarding a recent personal experience in applying for a disability parking permit." I'm going to skip ahead in the interest of time, here. Maralyn was diagnosed with extreme arthritis and received a note of medical support for the parking permit. She went to the ServiceOntario office, had to wait in a few different lines, was in discomfort and, as she was encouraged by ServiceOntario, submitted a feedback form.

It was noted in their email response "that chairs are available for those with disability and indeed the office had three, each occupied by what appeared to be able-bodied people. Regardless, I do not see chairs as the solution."

Maralyn's suggestion: It is her fervent hope "that a change can be made across the province to allow those

applicants applying in person for a disability parking permit at minimum the same express service as that afforded those in the dealership business”—an express lane, if you will.

Mr. Speaker, I'm out of time. Thank you.

*Second reading debate deemed adjourned.*

**The Deputy Speaker (Mr. Bas Balkissoon):** Seeing the time on the clock, this House stands adjourned until Wednesday, September 23 at 9 a.m.

*The House adjourned at 1757.*



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<b>Chiarelli, Hon. / L'hon. Bob (LIB)</b>	Ottawa West–Nepean / Ottawa-Ouest–Nepean	Minister of Energy / Ministre de l'Énergie
Clark, Steve (PC)	Leeds–Grenville	
Colle, Mike (LIB)	Eglinton–Lawrence	
<b>Coteau, Hon. / L'hon. Michael (LIB)</b>	Don Valley East / Don Valley-Est	Minister of Tourism, Culture and Sport / Ministre du Tourisme, de la Culture et du Sport Minister Responsible for the 2015 Pan and Parapan American Games / Ministre responsable des Jeux panaméricains et parapanaméricains de 2015
Crack, Grant (LIB)	Glengarry–Prescott–Russell	
<b>Damerla, Hon. / L'hon. Dipika (LIB)</b>	Mississauga East–Cooksville / Mississauga-Est–Cooksville	Associate Minister of Health and Long-Term Care (Long-Term Care and Wellness) / Ministre associée de la Santé et des Soins de longue durée (Soins de longue durée et Promotion du mieux-être) Minister Without Portfolio / Ministre sans portefeuille Minister of Transportation / Ministre des Transports
<b>Del Duca, Hon. / L'hon. Steven (LIB)</b>	Vaughan	
Delaney, Bob (LIB)	Mississauga–Streetsville	
Dhillon, Vic (LIB)	Brampton West / Brampton-Ouest	
Dickson, Joe (LIB)	Ajax–Pickering	
DiNovo, Cheri (NDP)	Parkdale–High Park	
Dong, Han (LIB)	Trinity–Spadina	
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Forster, Cindy (NDP)	Welland	
Fraser, John (LIB)	Ottawa South / Ottawa-Sud	

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
French, Jennifer K. (NDP)	Oshawa	
Gates, Wayne (NDP)	Niagara Falls	
Gélinas, France (NDP)	Nickel Belt	
<b>Gravelle, Hon. / L'hon. Michael (LIB)</b>	Thunder Bay–Superior North / Thunder Bay–Superior-Nord	Minister of Northern Development and Mines / Ministre du Développement du Nord et des Mines
Gretzky, Lisa (NDP)	Windsor West / Windsor-Ouest	
Hardeman, Ernie (PC)	Oxford	
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Hatfield, Percy (NDP)	Windsor–Tecumseh	
Hillier, Randy (PC)	Lanark–Frontenac–Lennox and Addington	
Hoggarth, Ann (LIB)	Barrie	
Horwath, Andrea (NDP)	Hamilton Centre / Hamilton-Centre	Leader, Recognized Party / Chef de parti reconnu Leader, New Democratic Party of Ontario / Chef du Nouveau parti démocratique de l'Ontario
<b>Hoskins, Hon. / L'hon. Eric (LIB)</b>	St. Paul's	Minister of Health and Long-Term Care / Ministre de la Santé et des Soins de longue durée
Hudak, Tim (PC)	Niagara West–Glanbrook / Niagara- Ouest–Glanbrook	
<b>Hunter, Hon. / L'hon. Mitzie (LIB)</b>	Scarborough–Guildwood	Associate Minister of Finance (Ontario Retirement Pension Plan) / Ministre associée des Finances (Régime de retraite de la province de l'Ontario)
<b>Jaczek, Hon. / L'hon. Helena (LIB)</b>	Oak Ridges–Markham	Minister Without Portfolio / Ministre sans portefeuille Minister of Community and Social Services / Ministre des Services sociaux et communautaires
Jones, Sylvia (PC)	Dufferin–Caledon	
Kiwala, Sophie (LIB)	Kingston and the Islands / Kingston et les îles	
Kwinter, Monte (LIB)	York Centre / York-Centre	
Lalonde, Marie-France (LIB)	Ottawa–Orléans	
<b>Leal, Hon. / L'hon. Jeff (LIB)</b>	Peterborough	Minister of Agriculture, Food and Rural Affairs / Ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
<b>Levac, Hon. / L'hon. Dave (LIB)</b>	Brant	Speaker / Président de l'Assemblée législative
<b>MacCharles, Hon. / L'hon. Tracy (LIB)</b>	Pickering–Scarborough East / Pickering–Scarborough-Est	Minister of Children and Youth Services / Ministre des Services à l'enfance et à la jeunesse Minister Responsible for Women's Issues / Ministre déléguée à la Condition féminine
MacLaren, Jack (PC)	Carleton–Mississippi Mills	
MacLeod, Lisa (PC)	Nepean–Carleton	
Malhi, Harinder (LIB)	Brampton–Springdale	
Mangat, Amrit (LIB)	Mississauga–Brampton South / Mississauga–Brampton-Sud	
Mantha, Michael (NDP)	Algoma–Manitoulin	
Martins, Cristina (LIB)	Davenport	
Martow, Gila (PC)	Thornhill	
<b>Matthews, Hon. / L'hon. Deborah (LIB)</b>	London North Centre / London- Centre-Nord	Deputy Premier / Vice-première ministre Minister Responsible for the Poverty Reduction Strategy / Ministre responsable de la Stratégie de réduction de la pauvreté
<b>Mauro, Hon. / L'hon. Bill (LIB)</b>	Thunder Bay–Atikokan	President of the Treasury Board / Présidente du Conseil du Trésor Minister of Natural Resources and Forestry / Ministre des Richesses naturelles et des Forêts
McDonell, Jim (PC)	Stormont–Dundas–South Glengarry	
McGarry, Kathryn (LIB)	Cambridge	
McMahon, Eleanor (LIB)	Burlington	
<b>McMeekin, Hon. / L'hon. Ted (LIB)</b>	Ancaster–Dundas–Flamborough– Westdale	Minister of Municipal Affairs and Housing / Ministre des Affaires municipales et du Logement
McNaughton, Monte (PC)	Lambton–Kent–Middlesex	
<b>Meilleur, Hon. / L'hon. Madeleine (LIB)</b>	Ottawa–Vanier	Attorney General / Procureure générale Minister Responsible for Francophone Affairs / Ministre déléguée aux Affaires francophones
Mileczyn, Peter Z. (LIB)	Etobicoke–Lakeshore	
Miller, Norm (PC)	Parry Sound–Muskoka	



Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
<b>Miller, Paul (NDP)</b>	Hamilton East–Stoney Creek / Hamilton-Est–Stoney Creek	Third Deputy Chair of the Committee of the Whole House / Troisième vice-président du comité plénier de l'Assemblée législative
<b>Moridi, Hon. / L'hon. Reza (LIB)</b>	Richmond Hill	Minister of Research and Innovation / Ministre de la Recherche et de l'Innovation Minister of Training, Colleges and Universities / Ministre de la Formation et des Collèges et Universités
Munro, Julia (PC)	York–Simcoe	Deputy Opposition House Leader / Leader parlementaire adjointe de l'opposition officielle
<b>Murray, Hon. / L'hon. Glen R. (LIB)</b>	Toronto Centre / Toronto-Centre	Minister of the Environment and Climate Change / Ministre de l'Environnement et de l'Action en matière de changement climatique
Naidoo-Harris, Indira (LIB)	Halton	
<b>Naqvi, Hon. / L'hon. Yasir (LIB)</b>	Ottawa Centre / Ottawa-Centre	Minister of Community Safety and Correctional Services / Ministre de la Sécurité communautaire et des Services correctionnels Government House Leader / Leader parlementaire du gouvernement
Natyshak, Taras (NDP)	Essex	
<b>Nicholls, Rick (PC)</b>	Chatham-Kent–Essex	Second Deputy Chair of the Committee of the Whole House / Deuxième vice-président du comité plénier de l'Assemblée législative Minister of Government and Consumer Services / Ministre des Services gouvernementaux et des Services aux consommateurs
<b>Orazietti, Hon. / L'hon. David (LIB)</b>	Sault Ste. Marie	
Pettapiece, Randy (PC)	Perth–Wellington	
Potts, Arthur (LIB)	Beaches–East York	
Qadri, Shafiq (LIB)	Etobicoke North / Etobicoke-Nord	
Rinaldi, Lou (LIB)	Northumberland–Quinte West	
<b>Sandals, Hon. / L'hon. Liz (LIB)</b>	Guelph	Minister of Education / Ministre de l'Éducation
Sattler, Peggy (NDP)	London West / London-Ouest	
Scott, Laurie (PC)	Haliburton–Kawartha Lakes–Brock	Deputy Opposition House Leader / Leader parlementaire adjointe de l'opposition officielle
<b>Sergio, Hon. / L'hon. Mario (LIB)</b>	York West / York-Ouest	Minister Responsible for Seniors Affairs Minister Without Portfolio / Ministre sans portefeuille Deputy Leader, Recognized Party / Chef adjoint du gouvernement
Singh, Jagmeet (NDP)	Bramalea–Gore–Malton	
Smith, Todd (PC)	Prince Edward–Hastings	
<b>Souza, Hon. / L'hon. Charles (LIB)</b>	Mississauga South / Mississauga-Sud	Minister of Finance / Ministre des Finances
Tabuns, Peter (NDP)	Toronto–Danforth	
Takhar, Harinder S. (LIB)	Mississauga–Erindale	
Taylor, Monique (NDP)	Hamilton Mountain	
Thibeault, Glenn (LIB)	Sudbury	
Thompson, Lisa M. (PC)	Huron–Bruce	
Vanthof, John (NDP)	Timiskaming–Cochrane	
Vernile, Daiene (LIB)	Kitchener Centre / Kitchener-Centre	
Walker, Bill (PC)	Bruce–Grey–Owen Sound	
Wilson, Jim (PC)	Simcoe–Grey	Opposition House Leader / Leader parlementaire de l'opposition officielle
Wong, Soo (LIB)	Scarborough–Agincourt	
<b>Wynne, Hon. / L'hon. Kathleen O. (LIB)</b>	Don Valley West / Don Valley-Ouest	Minister of Intergovernmental Affairs / Ministre des Affaires intergouvernementales Premier / Première ministre Leader, Liberal Party of Ontario / Chef du Parti libéral de l'Ontario
Yakabuski, John (PC)	Renfrew–Nipissing–Pembroke	
Yurek, Jeff (PC)	Elgin–Middlesex–London	
<b>Zimmer, Hon. / L'hon. David (LIB)</b>	Willowdale	Minister of Aboriginal Affairs / Ministre des Affaires autochtones
Vacant	Whitby–Oshawa	

**STANDING AND SELECT COMMITTEES OF THE LEGISLATIVE ASSEMBLY  
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Grant Crack, Cheri DiNovo  
Han Dong, Michael Harris  
Sophie Kiwala, Todd Smith  
Monique Taylor  
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Soo Wong  
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Joe Dickson, Lisa Gretzky  
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Vice-Chair / Vice-président: Lorenzo Berardinetti  
Lorenzo Berardinetti, Bob Delaney  
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Cristina Martins, Indira Naidoo-Harris  
Arthur Potts, Shafiq Qadri  
Laurie Scott  
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permanent de l'Assemblée législative**

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Vice-Chair / Vice-président: Jack MacLaren  
Granville Anderson, Bas Balkissoon  
Chris Ballard, Steve Clark  
Jack MacLaren, Michael Mantha  
Eleanor McMahon, Monte McNaughton  
Soo Wong  
Committee Clerk / Greffier: Trevor Day

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des comptes publics**

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Vice-Chair / Vice-présidente: Lisa MacLeod  
Han Dong, John Fraser  
Ernie Hardeman, Percy Hatfield  
Lisa MacLeod, Harinder Malhi  
Julia Munro, Arthur Potts  
Lou Rinaldi  
Committee Clerk / Greffière: Valerie Quioc Lim

**Standing Committee on Regulations and Private Bills / Comité  
permanent des règlements et des projets de loi d'intérêt privé**

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Vice-Chair / Vice-présidente: Kathryn McGarry  
Lorenzo Berardinetti, Jennifer K. French  
Monte Kwinter, Amrit Mangat  
Kathryn McGarry, Indira Naidoo-Harris  
Daiene Vernile, Bill Walker  
Jeff Yurek  
Committee Clerk / Greffier / Greffière: Christopher Tyrell

**Standing Committee on Social Policy / Comité permanent de  
la politique sociale**

Chair / Président: Peter Tabuns  
Vice-Chair / Vice-président: Jagmeet Singh  
Granville Anderson, Vic Dhillon  
Amrit Mangat, Gila Martow  
Kathryn McGarry, Norm Miller  
Jagmeet Singh, Peter Tabuns  
Glenn Thibeault  
Committee Clerk / Greffière: Valerie Quioc Lim

**Select Committee on Sexual Violence and Harassment /  
Comité spécial de la violence et du harcèlement à caractère  
sexuel**

Chair / Présidente: Daiene Vernile  
Vice-Chair / Vice-présidente: Laurie Scott  
Han Dong, Sylvia Jones  
Marie-France Lalonde, Harinder Malhi  
Kathryn McGarry, Eleanor McMahon  
Taras Natyshak, Peggy Sattler  
Laurie Scott, Daiene Vernile  
Committee Clerk / Greffier: Katch Koch





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